

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

FILED  
U. S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

OCT 17 1978

MURRAY L. HARRIS, CLERK

BY DEPUTY *Marya Barton*

J. and R. DOE AS GUARDIAN AD X  
LITEM FOR I. ROE, J.D. DOE, X  
E. DOE, D. DOE AND O. DOE; X  
J. and E. ROE AS GUARDIAN AD X  
LITEM FOR O. ROE, F. ROE, and X  
N. ROE; F. BOE AS GUARDIAN AD X  
LITEM FOR Z. BOE, S. BOE and X  
X. BOE; H. and J. LOE AS X  
GUARDIAN AD LITEM FOR A. LOE X  
L. LOE, M. LOE, G. LOE and X  
R. LOE; ON BEHALF OF THEM- X  
SELVES AND OTHERS SIMILARLY X  
SITUATED X

PLAINTIFFS X

V. X

JAMES PLYLER, SUPERINTENDENT X  
OF THE TYLER INDEPENDENT X  
SCHOOL DISTRICT, IN HIS X  
OFFICIAL CAPACITY; ROBERT X  
DOBBS, CHARLES CHILDERS, X  
CARL ROSS, MARTIN EDWARDS, X  
VERNON GOSS, MICHAEL BREED- X  
LOVE, ROBERT RANDALL IN X  
THEIR OFFICIAL CAPACITY AS X  
MEMBERS OF THE TYLER X  
INDEPENDENT SCHOOL DISTRICT X  
AND THE STATE OF TEXAS X

DEFENDANTS X

CIVIL ACTION NO.  
TY-77-261-CA

NOTICE OF APPEAL

Notice is hereby given that the State of Texas, Intervenor in the above cause, hereby appeal to the United States Court of Appeals for the Fifth Circuit the Court's Permanent Injunction filed September 14, 1978.

Respectfully submitted,

JOHN L. HILL  
Attorney General of Texas

DAVID M. KENDALL  
First Assistant

STEVE BICKERSTAFF  
Assistant Attorney General

*Richard Arnett*

RICHARD ARNETT  
Assistant Attorney General  
P.O. Box 12548, Capitol Station  
Austin, Texas 78711  
(512) 475-3131

CERTIFICATE OF SERVICE

I, Richard Arnett, Assistant Attorney General of Texas hereby certify that a true and correct copy of the foregoing instrument has been deposited in the U.S. Mail, Certified, Return Receipt Requested, addressed to Mr. Peter D. Roos, Attorney in Charge for the Mexican-American Legal Defense and Educational Fund, 145 Ninth Street, San Francisco, California 94103, Mr. Larry R. Daves, Local counsel for the Mexican-American Legal Defense and Educational Fund, P.O. Box 1115, Tyler, Texas 75710, Mr. Michael Wise, U.S. Department of Justice, Education Section, Civil Rights Division, Washington, D.C. 20530, Mr. John Hannah, Jr., U.S. Attorney, P.O. Box 1049, Tyler, Texas 75710 and John C. Hardy, 200 Peoples National Bank South, Tyler, Texas 75702 on this the 13<sup>th</sup> day of October, 1978.



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RICHARD ARNETT