

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

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

PLAINTIFFS

VS.

JAMES PLYER, SUPERINTENDENT OF
THE TYLER INDEPENDENT SCHOOL
DISTRICT, IN HIS OFFICIAL
CAPACITY; LEWIS LAMPKIN,
BOB DOBBS, CHARLES CHILDERS,
CARL ROSS, MARTIN EDWARDS,
VERNON GOSS, MICHAEL BREEDLOVE
and ROBERT RANDALL IN THEIR
OFFICIAL CAPACITY AS MEMBERS
OF THE BOARD OF TRUSTEES OF
THE TYLER INDEPENDENT SCHOOL
DISTRICT,

DEFENDANTS

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

DEC 12 1977

MURRAY L. HARRIS, CLERK

By Deputy *[Signature]*

CIVIL ACTION NO. TY-77-261-CA

ANSWER OF THE STATE OF TEXAS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES The State of Texas and makes this Answer to Plain-
tiffs' Original Complaint herein. For such Answer Texas would
show to the Court the following:

I.

The State of Texas agrees with the character description of
this suit contained in statement of the case. The State does
not admit such suit is properly brought or admit jurisdictional
or standing issues.

II.

The State of Texas neither admits nor denies statements
contained under THE PLAINTIFFS as they are without sufficient
knowledge to do so.

III.

The State of Texas neither admits nor denies statements contained under DEFENDANTS as they are without sufficient knowledge to do so.

IV.

The State of Texas admits the characteristic description contained in Jurisdiction; however, Texas does not admit jurisdiction herein. Venue is admitted.

V.

Under the section entitled THE FACTS, The State of Texas is without sufficient knowledge to admit or deny Number 11. The State admits Number 12. The State is without sufficient knowledge to admit or deny Number 13. The State, since the identity of these people is unknown, is obviously without sufficient knowledge to admit or deny Numbers 14, 15, 16, or 17.

VI.

The State of Texas denies that this action is proper for class action, relief, and thereby denies Number 18.

VII.

The State denies FIRST CAUSE OF ACTION. The State would particularly deny the implementing of the policy characterized by Plaintiffs as only being implemented against Spanish surnamed individuals. 21.031 and policies promulgated thereunder are to affect all children and all illegal aliens.

VIII.

The State is without sufficient knowledge to admit or deny in detail what procedural due process was extended to each individual Plaintiff. However, The State would deny that the parties have been denied due process herein.

IX.

Texas denies Plaintiffs' THIRD CAUSE OF ACTION.

X.

Texas denies Plaintiffs' FOURTH CAUSE OF ACTION.

XI.

Texas denies Plaintiffs' FIFTH CAUSE OF ACTION.

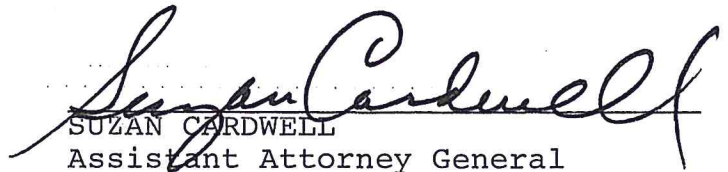
XII.

Texas denies all facts subsumed in Plaintiffs' Prayer for Relief.

WHEREFORE, PREMISES CONSIDERED, The State of Texas respectfully pray that Plaintiffs take nothing by this suit, that all relief prayed for by Plaintiffs be denied, and that this cause be dismissed. The State further prays for costs of Court and such other and further relief which they may be entitled.

Respectfully submitted,

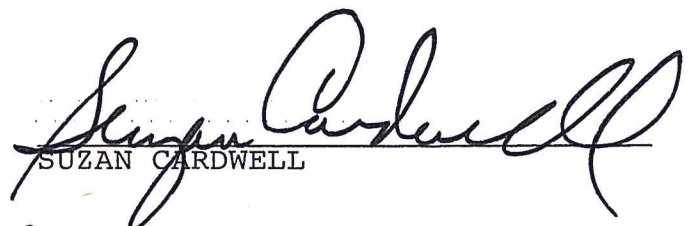
JOHN L. HILL
Attorney General of Texas


SUZAN CARDWELL
Assistant Attorney General

P. O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 475-3131

CERTIFICATE OF SERVICE

I, Suzan Cardwell, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the foregoing Answer of The State of Texas has been properly served by depositing a copy of same in the United States Mail, Certified, Return Receipt Requested, with sufficient postage attached, addressed to Mr. Peter Roos, MALDEF, 145 Ninth Street, San Francisco, California 94103, to Mr. John Hardy, 200 Peoples Bank Building, South, Tyler, Texas 75702, and to Ms. Roberta Rodkin, P. O. Box 1115, Tyler, Texas 75701, on this the 8th day of Dec., 1977.


SUZAN CARDWELL