

No. 15-24-00103-CV

**In the Court of Appeals
for the Fifteenth Judicial District
Austin, Texas**

FILED IN
15th COURT OF APPEALS
AUSTIN, TEXAS
10/21/2024 11:16:56 AM
CHRISTOPHER A. PRINE
Clerk

THE STATE OF TEXAS,

Appellant,

v.

CITY OF DALLAS; KIMBERLY BIZOR TOLBERT, IN HER
OFFICIAL CAPACITY AS THE INTERIM CITY
MANAGER FOR THE CITY OF DALLAS; AND THE
STATE FAIR OF TEXAS,

Appellees.

On Appeal from the
298th Judicial District Court, Dallas County

UNOPPOSED MOTION TO DISMISS APPEAL

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Attorney General of Texas

AARON L. NIELSON
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Counsel for Appellant

TO THE HONORABLE FIFTEENTH COURT OF APPEALS:

Pursuant to Texas Rule of Appellate Procedure 42.1(a)(1), the State voluntarily moves to dismiss this appeal. At issue in this case is whether the Appellees may forbid certain individuals from carrying handguns during the State Fair of Texas. The State previously requested emergency relief pending appeal to prevent the Appellees from forbidding the carrying of handguns at the State Fair. This Court and the Texas Supreme Court denied the State's requests. Because the State Fair ended on October 20, the State no longer wishes to pursue this appeal from the denial of a temporary injunction. The State intends to continue litigating its case in the trial court. This motion is unopposed.

PRAYER

The Court should grant this motion and dismiss this appeal.

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

AARON L. NIELSON
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BRENT WEBSTER
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/s/ Lanora C. Pettit
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Counsel for Appellant

CERTIFICATE OF CONFERENCE

I certify that on October 18, 2024, Appellant’s counsel contacted Bryan Neal, counsel for Appellee State Fair of Texas, and Jeff Tillotson, counsel for Appellees City of Dallas and the Interim City Manager, and notified them that this motion to dismiss the appeal would be filed. Appellees are unopposed.

/s/ Lanora C. Pettit
LANORA C. PETTIT

CERTIFICATE OF COMPLIANCE

Microsoft Word reports that this document contains 131 words, excluding exempted text.

/s/ Lanora C. Pettit
LANORA C. PETTIT

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Filing Code Description: Motion

Filing Description: 20241021_State Fair Motion to Dismiss Appeal_Final

Status as of 10/21/2024 2:23 PM CST

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