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Attorneys for Plaintiff THE TEXAS HOUSE OF REPRESENTATIVES

SUPERIOR COURT OF CALIFORNIA, COUNTY OF TEHAMA

THE TEXAS HOUSE OF REPRESENTATIVES,

Plaintiff,

vs.

RHETTA ANDREWS BOWERS, in her official capacity as Texas State Representative, District 113, GINA HINOJOSA, in her official capacity as Texas State Representative, District 49, ANN JOHNSON, in her official capacity as Texas State Representative, District 134, RAY LOPEZ, in his official capacity as Texas State Representative, District 125, MARY ANN PEREZ, in her official capacity as Texas State Representative, District 144, VINCENT "VINCE" PEREZ, in his official capacity as Texas State Representative, District 77, and DOES 1 through 25, inclusive,

Defendants.

CASE NO.: _____

Assigned to _____

THE TEXAS HOUSE OF REPRESENTATIVES' COMPLAINT FOR:

1. FULL FAITH AND CREDIT, U.S. CONST., ART. IV, SECT. 1
2. FULL FAITH AND CREDIT, 28 U.S.C. SECT. 1738
3. COMITY

1 **TO THE COURT AND ALL INTERESTED PARTIES:**

2 Plaintiff THE TEXAS HOUSE OF REPRESENTATIVES for causes of action against
3 Rhetta Andrews Bowers, an individual; Gina Hinojosa, an individual; Ann Johnson, an individual;
4 Ray Lopez, an individual; Mary Ann Perez, an individual; Vincent “Vince” Perez, an individual;
5 and DOES 1 through 25, inclusive, allege as follows:

6 1. A minority of members of the Texas House of Representatives are harming the good
7 order of Texas’s representative democracy. They have intentionally broken the quorum of the Texas
8 House of Representatives by fleeing the State. The Texas Representatives named herein hope the
9 State of California will provide safe harbor for their political actions and shield them from legal
10 process. The United States Constitution, federal statute, and the doctrine of comity between states
11 demand otherwise. This Court must give full faith and credit to warrants duly issued by the Texas
12 House of Representatives that compel these civil servants to return to Texas and to their civic
13 responsibilities.

14 2. The American republican experiment has brought 250 years of unprecedented
15 freedom and prosperity to the people of the United States. This success has always been premised
16 on the struggle between competing political factions borne out by the good order provided by the
17 political and legislative processes of representative democracy. Our success has also been premised
18 on good-faith engagement by duly elected civil servants.

19 3. This case concerns duly elected members of the Texas House of Representatives
20 who have fled Texas with the explicit aim of forestalling the operation of Texas’s democratic
21 process. Texas, like California, is a representative democracy in which all legislative power is
22 delegated to the state legislature, which is constituted of Representatives and Senators duly elected
23 by the People of Texas to represent the People of Texas. Each of these members has a voice and a
24 vote—they do not have the right to deny the voices and votes of other members by withholding
25 their own. They do not have a right to bring the machinery of democratic legislative to a screeching
26 halt over results with which they do not agree.

27 4. In Texas, the Legislature does not meet year-round. Instead, it meets for a Regular
28 Session that is limited to 140 days every two years and for any Special Sessions called by the

1 Governor. Under the Texas Constitution, any Special Sessions are limited to 30 days and may act
2 only on the subjects set forth in the Governor’s call. The Texas Constitution mandatorily directs
3 that when the Governor calls a Special Session, “the Legislature shall meet.” Tex. Const. Art. III
4 Sec. 5.

5 5. On July 9, 2025, the Governor of Texas called a Special Session to deal with, among
6 other matters, disaster flood relief and redistricting. Ex. 1. That Special Session convened with the
7 constitutionally required quorum of the Texas Legislature on July 21, 2025. Ex. 2. A minority of
8 members of the Texas House of Representatives, including the Defendants in this action, thereafter
9 determined that they disagreed with the majority on redistricting. Rather than merely express their
10 views and votes, as part of their participation in the democratic process, Defendants decided to
11 obstruct that process and disable the Texas House of Representatives from functioning.

12 6. Defendants knew that the Texas Constitution specifically authorizes each House of
13 the Legislature to “compel the attendance of absent members, in such manner and under such
14 penalties as each House may prescribe.” Tex. Const. Art. III Sec. 10; *see also In re Abbott*, 628
15 S.W.3d 288, 292–93 (Tex. 2021) (holding that civil arrest of absent members was “valid exercise”
16 of power granted to the House under Texas Constitution). Thus, Defendants knew that they could
17 and would be subject to arrest if they refused to attend the Special Session. To evade this lawful
18 civil arrest, Defendants conspired to and did leave Texas for California. Each did so with the
19 intention of obstructing the Texas Legislature from functioning as it is required by the Texas
20 Constitution and evading lawful civil arrest.

21 7. On August 4, 2025, the Texas House of Representatives acted in accordance with
22 Article III, § 10 of the Texas Constitution and its Rules of Procedure adopted pursuant to Article
23 III, § 11 of the Texas Constitution (the “Quorum Order”), moving to instruct the Sergeant-At-Arms
24 of the Texas House of Representatives to secure and maintain the attendance of absentee Members
25 of the Texas House. Ex. 3 at 92; Ex. 4 at 21–22.

26 8. Accordingly, Speaker of the House Dustin Burrows issued civil warrants for the
27 members who had deliberately and without excuse broken quorum. Ex. 5. The civil arrest warrants
28 (the “Quorum Warrants”) were duly and lawfully issued pursuant to the Quorum Order. Texas

1 requests and is entitled to the assistance of its sister State, the State of California, to enforce the
2 Quorum Order and Quorum Warrant as to each of the Texas House members breaking quorum and
3 evading civil arrest in California.

4 9. Texas seeks enforcement of the rule of law in California, the assistance of California
5 law enforcement officials, and this Court’s assistance, to lawfully return to Texas the Defendant
6 legislators who fled to California to evade their duties to participate in the ongoing Special Session
7 of the Texas Legislature.

8 10. The Texas House of Representatives seeks an order recognizing the Quorum
9 Warrants as a public Act of the State of Texas that is entitled to full faith and credit in California,
10 and requests that this Court issue civil warrants directing the appropriate California law
11 enforcement officials to effectuate the civil arrest of Defendants and coordinate with the Sergeant-
12 at-Arms of the Texas House of Representatives and the Texas Department of Public Safety to return
13 them to Texas.

14 11. The Texas House of Representatives and Texas Attorney General Ken Paxton have
15 already attempted to resolve this dispute without the intervention of this Court, repeatedly notifying
16 the absentee House Members of their obligation to return to Texas and fulfill their constitutional
17 duties. *See, e.g.*, Ex. 7 (KP AG Statement); Proceedings of the 89th Legislative Session, First Called
18 Session, August 4, 2025, available at <https://www.house.texas.gov/videos/22427> (accessed August
19 7, 2025) (statement of House Speaker Dustin Burrows) (“To those who are absent, return now.
20 Show the courage to face the issues you were elected to solve. Come back and fulfill your duty.”).

21 **PARTIES**

22 12. Plaintiff the House of Representatives of the State of Texas (“Texas House”) is part
23 of the Legislature of the State of Texas; the Texas House, together with the Texas Senate, are vested
24 with the legislative power of Texas. *See* Tex. Const. Art. III Sec. 1. The Texas House petitions on
25 its own behalf to obtain full faith and credit of its public Acts.

26 13. Defendant Rhett Andrews Bowers is a Texas State Representative, representing
27 Texas House District 113. She is sued in her official capacity. She fled Texas to Illinois, and then
28

1 to California, to break quorum and evade arrest. Representative Bowers is a resident of Texas and,
2 on information and belief, is presently located in California.

3 14. Defendant Gina Hinojosa is a Texas State Representative, representing Texas House
4 District 49. She is sued in her official capacity. She fled Texas to Illinois, then to California, to
5 break quorum and evade arrest. Representative Hinojosa is a resident of Texas and, on information
6 and belief, is presently located in California.

7 15. Defendant Ann Johnson is a Texas State Representative, representing Texas House
8 District 136. She is sued in her official capacity. She fled Texas to Illinois, then to California, to
9 break quorum and evade arrest. Representative Johnson is a resident of Texas and, on information
10 and belief, is presently located in California.

11 16. Defendant Ray Lopez is a Texas State Representative, representing Texas House
12 District 125. He is sued in his official capacity. He fled Texas to Illinois, then to California, to break
13 quorum and evade arrest. Representative Lopez is a resident of Texas and, on information and
14 belief, is presently located in California.

15 17. Defendant Mary Ann Perez is a Texas State Representative, representing Texas
16 House District 144. She is sued in her official capacity. She fled Texas to Illinois, then to California,
17 to break quorum and evade arrest. Representative Perez is a resident of Texas and, on information
18 and belief, is presently located in California.

19 18. Defendant Vince Perez is a Texas State Representative, representing Texas House
20 District 77. He is sued in his official capacity. He fled Texas to Illinois, then to California, to break
21 quorum and evade arrest. Representative Perez is a resident of Texas and, on information and belief,
22 is presently located in California.

23 **JURISDICTION AND VENUE**

24 19. This Court has jurisdiction over this action pursuant to California Rules of Civil
25 Procedure 3.1200 because the United States Constitution and federal statutory law require
26 California to give full faith and credit to public acts of the state of Texas. This is an emergency
27 action and Plaintiff plans to give actual notice of any ex parte proceedings in accordance with
28 California law.

1 20. Venue is proper pursuant to California Code of Civil Procedure Section 395 because
2 all Defendants are nonresidents of California and are temporarily located in California; therefore,
3 an action may be commenced in any county.

4 **CAUSES OF ACTION**

5 **COUNT I**

6 **FULL FAITH AND CREDIT, U.S. CONST., ART. IV, § 1**

7 21. Texas and California are sovereign states of the United States. They each are bound
8 by the United States Constitution, and their citizens have fought together against enemies of the
9 United States on many occasions to preserve that Constitution. Texas and California, like the United
10 States Government itself, vest the lawmaking power of democratically elected representatives of
11 their People in the Legislative Branch of their respective governments.

12 22. The Texas Legislature is currently unable to exercise its essential lawmaking
13 function on behalf of its People by reason of the actions of Texas legislators who have fled Texas
14 during a Special Session duly called by the Governor of Texas in accordance with its Constitution.
15 Specifically, these legislators have conspired with each other and with others not named herein for
16 the purpose of depriving the Texas House of Representatives of a quorum and disabling it from
17 enacting laws in accordance with the Texas Constitution.

18 23. Defendants fled Texas because (a) they knew that the Texas House of
19 Representatives would promptly act to compel their attendance in accordance with Article III, § 10
20 of the Texas Constitution and (b) these legislators sought to evade lawful civil arrest. The Texas
21 House of Representatives on August 4, 2025, affirmatively acted to lawfully order the civil arrest
22 and compelled attendance of Defendants. *See In re Abbott*, 628 S.W.3d at 294 (noting that Article
23 III, § 10’s text “fully supports [the] understanding” that it might “become necessary to use physical
24 compulsion to force a quorum”); *see also Kilbourn v. Thompson*, 103 U.S. 168, 190 (1880)
25 (interpreting federal quorum clause to permit the same).

26 24. Article IV § 1 of the United States Constitution—the Full Faith and Credit Clause—
27 imposes a duty on each State, including California, that “Full Faith and Credit shall be given in
28 each State of the public Acts, Records, and judicial proceedings of every other State.” The courts

1 of Texas’s fellow states therefore have the mandatory constitutional duty to respect and give full
2 faith and credit to the public acts of the Texas House of Representatives, including the Quorum
3 Order and the Quorum Warrants.

4 25. This constitutional duty applies regardless of policy disagreements properly taken
5 up by the Texas House of Representatives once quorum is restored. Restoration of functional
6 representative democracy, as evidenced by 250 years of American history, is the best and only way
7 to resolve policy disputes. The public acts of Texas to restore that democratic process are entitled
8 under the United States Constitution to full faith and credit from California.

9 26. Finally, this constitutional duty of full faith and credit applies to legislative acts of
10 sister States like those at issue here, and not only to court judgments of sister States. *See, e.g.*
11 *Franchise Tax Bd. of Cal. v. Hyatt*, 578 U.S. 171, 176 (2016) (recognizing a statute as a “public
12 Act”); *Hughes v. Fetter*, 341 U.S. 609, 611 (1951). The Constitution extends full faith and credit
13 not only to “judicial Proceedings,” but also to “public Acts.” That provision can be given meaning
14 only by recognizing that legislative as well as judicial acts are entitled to respect and enforcement
15 in sister States.

16 **COUNT II**

17 **FULL FAITH AND CREDIT, 28 U. S. C. § 1738**

18 27. The Full Faith and Credit Clause of the United States Constitution also granted
19 express authority to Congress to make “general Laws” to prescribe how the acts, records, and
20 proceedings of sister States may be authenticated and carried into “Effect.”

21 28. Congress did so in 28 U.S.C. § 1738. After describing how “legislative acts,” may
22 be authenticated, Section 1738 provides that “[s]uch Acts, records, and judicial
23 proceedings . . . shall have the same full faith and credit in every court within the United
24 States . . . as they have by law or usage in the courts of such State.” Plaintiff hereby presents to this
25 Court the acts of the Texas House of Representatives—the Quorum Order and the Quorum
26 Warrants—duly authenticated under the statute with the Seal of the House of Representatives of
27 the State of Texas, and respectfully request that this Court give full faith and credit to these
28 legislative acts by the State of Texas in accordance with 28 U.S.C. § 1738.

1 29. Accordingly, this Court should issue such orders and process as may be necessary
2 to effectuate the Quorum Warrants, just as if they were acts of the State of California. To wit, the
3 Court should treat the Quorum Warrants as its own civil order.

4 30. Texas respectfully requests the Court issue a rule to show cause why Defendants
5 should not be held in contempt for their knowing efforts to evade Texas’s duly issued Quorum
6 Warrants.

7 31. The Texas Supreme Court has already blessed the use of Quorum Warrants as a
8 lawful exercise of legislative authority bearing the full effect of law—equivalent to a court-ordered
9 subpoena or warrant. “The Texas Constitution empowers the House to ‘compel the attendance of
10 absent members’ and authorizes the House to do so ‘in such manner and under such penalties as
11 [the] House may provide.’” *See In re Abbott*, 628 S.W.3d 288, 291–92 (Tex. 2021) (quoting Tex.
12 Const. Art. III Sec. 10). “The Texas House of Representatives has established the ‘manner’ and
13 ‘penalties’ under which it will exercise its constitutional authority to compel the attendance of absent
14 members” by, *inter alia*, “authoriz[ing] the physical ‘arrest’ of absent members in order to compel
15 their attendance.” *Id.* at 292; *see* Tex. H.R. Rule 5, § 8, Tex. H.R. 4, 89th Leg., R.S., 2025 H.J. of
16 Tex. 42, 94, *reprinted in* Texas House Rules Manual 92 (2025) (“All absentees for whom no
17 sufficient excuse is made may, by order of a majority of those present, be sent for and arrested,
18 wherever they may be found, by the sergeant-at-arms or an officer appointed by the sergeant-at-
19 arms for that purpose, and their attendance shall be secured and retained.”).

20 32. This Complaint requesting that this Court summon defendants to show cause is
21 necessarily prior to a proceeding for indirect contempt. California Code of Civil Procedure §3.1209
22 *et seq.* This Complaint, by presenting to this Court “the facts constituting the contempt,” initiates
23 the process whereby, after due notice and opportunity to be heard, Defendants may be held in
24 contempt. *The Bakersfield Californian v. Superior Court* (2023) 96 Cal.App.5th 1228, 1248, *review*
25 *denied* (Feb. 21, 2024).

26 33. An order of this Court requiring Defendants to show cause would “commence[] a
27 ‘separate action’ on the contempt charges” brought in this Complaint. *In re M.R.* (2013) 220
28 Cal.App.4th 49, 58. Such and order would not itself hold Defendants in contempt, but would rather

1 entitle Defendants “to a full and fair hearing that satisfies due process” at which this Court could
2 weigh the evidence of contempt offered in this Complaint against what evidence Defendants may
3 offer. *Id.*

4 **COUNT III**

5 **COMITY**

6 34. Judicial comity permits the “laws of one state . . . by the courtesy of another to
7 operate in the latter for the promotion of justice, where neither that state nor its citizens will suffer
8 any inconvenience from the application of the foreign law. This courtesy, or comity, is established,
9 not only from motives of respect for the laws and institutions of the foreign countries, but from
10 considerations of mutual utility and advantage.” *Advanced Bionics Corp. v. Medtronic, Inc.* (2002)
11 29 Cal.4th 697, 707, *as modified* (Mar. 5, 2003).

12 35. Here, California shares the same fundamental interest as Texas and recognizes that
13 a legislative assembly has all the powers necessary to enable it to exercise its functions. *Ex Parte*
14 *McCarthy*, 29 Cal. 395, 403–04 (1866). The common policy of Texas and California that state
15 legislatures must be able to operate is far more fundamental than are any political differences
16 regarding the results of those operations.

17 36. Texas respectfully requests the assistance of California and this Court, as a matter
18 of comity, in restoring legislative function in Texas that has been unlawfully disrupted by
19 Defendants who seek to evade arrest in California.

20 **PRAYER FOR RELIEF**

21 37. If the Quorum Order and Quorum Warrants are not given full faith and credit and
22 are not enforced in California, Texas is threatened with immediate and irreparable harm for which
23 damages are an insufficient remedy. Special Sessions of the Texas Legislature are limited by the
24 Texas Constitution to thirty days, and the current Special Session will end no later than August 20,
25 2025. Absent immediate action by this Court, the Texas Legislature will be unable to address any of
26 the eighteen subjects enumerated by the Governor of Texas in his call of this Special Session,
27 including disaster flood relief and matters involving the Texas public school system.
28

1 38. Accordingly, in these rare and critically important emergency circumstances, Texas
2 is entitled to relief via any order or orders necessary to effectuate the Quorum Warrants in California
3 and return Defendants to Texas.

4 WHEREFORE, Plaintiff prays that this matter be considered by the Court on an emergency
5 basis and that the Court issue a rule to show cause:

- 6 1. initiating contempt proceedings against Defendants for unlawfully seeking to evade
7 Texas's duly issued Quorum Warrants, and
- 8 2. setting a hearing as soon as practicable at which Plaintiff may present evidence of
9 Defendants' willful attempts to circumvent Texas law.

1 DATED: August 8, 2025

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**Pro Hac Vice Application Pending*

⁺Awaiting transfer to active status

Respectfully submitted,

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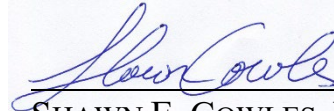
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