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BOND ISSUANCE - TEXAS

Jorolan v. Eads

Court of Appeals of Texas, Fort Worth - February 26, 2025 - Not Reported in S.W. Rptr. - 2025 WL 628340

In November 2022, voters approved a ballot measure authorizing the issuance of $650 million in general obligation bonds by Denton County for constructing, improving, repairing, and maintaining roads, bridges, and highways within the county.

After the Denton County Clerk certified the results of the election favoring the measure, citizens (Appellants) timely filed an original petition asserting an election contest against Andy Eads who, as Denton County Judge, was the presiding officer of the final canvassing authority for the election.

Appellants alleged as the basis for their contest that the electronic voting system employed by the county for the election was not properly certified by the Secretary of State, arguing that the votes counted were illegal, the true outcome of the election was unascertainable, and the result is void as a matter of law.

The Court of Appeals held that:

- Appellants lacked standing to bring this contest, depriving the Court of subject matter jurisdiction.
- Appellants did not allege a concrete injury, specific and particular to Contestants that could be redressed with a favorable decision by this Court.
- Appellants lacked standing because they did not allege some injury distinct from that sustained by the public at large.

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