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BOND ISSUANCE - TEXAS

In re Gaskill

Court of Appeals of Texas, Beaumont - June 8, 2023 - Not Reported in S.W. Rptr - 2023 WL 3876506

Voters dissatisfied with the results of an election approving the Magnolia ISD's authority to issue $228,000,000 in school bonds, filed a writ of mandamus almost six months after the election seeking to compel the Magnolia Independent School District's Board President to "take such actions as necessary to conduct" a recount for the 2022 Magnolia ISD Bond.

"The relators say they are not seeking to contest the election's results, but that they instead want information about the machines used in the election so they will know in upcoming elections how accurate the machines are in counting votes, including an election that will occur in May 2023."

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"By waiting 171 days after the election to challenge Adcox's decision rejecting the petitions Relators submitted for a recount of the vote on a school bond measure approved by voters, the relators allowed the results of the election to become final and Adcox's duty to order a recount of the results to expire. We hold that we lack jurisdiction over this original proceeding. Accordingly, the Relator's petition for writ of mandamus is dismissed."

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