

On August 11, in a 2-1 ~~opinion~~ *McCarthy v. Hawkins*, the Fifth Circuit affirmed a district court group of 21 Texas state officials, including Judge Emilio Garza dissented in part, arguing, among other things, that the constitutionality of Title II and

Advocates should monitor this website for updates on whether Texas will petition for hearing en banc.

*McCarthy v. Hawkins* , No. 03-50608, (5th Cir. August 11, 2004).