

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

July 25, 2012

No. 12-50732

Lyle W. Cayce
Clerk

CATHOLIC LEADERSHIP COALITION OF TEXAS, doing business as Texas Leadership Coalition; TEXAS LEADERSHIP COALITION-INSTITUTE FOR PUBLIC ADVOCACY,

Plaintiffs - Appellants

v.

DAVID A. REISMAN, In his official capacity as Executive Director of the Texas Ethics Commission; HUGH C. AKIN, In his official capacity as a member of the Texas Ethics Commission; TOM HARRISON, In his official capacity as a member of the Texas Ethics Commission; JIM CLANCY, In his official capacity as a member of the Texas Ethics Commission; PAUL W. HOBBY, In his official capacity as a member of the Texas Ethics Commission; BOB LONG, In his official capacity as a member of the Texas Ethics Commission; PAULA M. MENDOZA, In her official capacity as a member of the Texas Ethics Commission; TOM RAMSAY, In his official capacity as a member of the Texas Ethics Commission; CHASE UNTERMEYER; DISTRICT ATTORNEY SUSAN REED, In her official capacity as District Attorney for Bexar County, Texas,

Defendants - Appellees

Appeal from the United States District Court for the
Western District of Texas, Austin

Before HIGGINBOTHAM, OWEN, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Based on the limited record before us, we are unpersuaded that there is a likelihood of success on the merits of Appellants' First Amendment challenge to the sixty-day waiting period in TEX. ELEC. CODE § 253.037(a)(1). As a result, we do not reach the other provisions challenged. We conclude that the district court did not abuse its discretion in denying Appellants' motion for preliminary injunction. We AFFIRM that ruling and DENY any other pending motions.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.