

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>MARANDA LYNN O'DONNELL,</b>	§	
<b>et al.</b>	§	
	§	<b>Case No: 16-cv-01414</b>
<b>Plaintiffs,</b>	§	<b>(Consolidated Class Action)</b>
<b>v.</b>	§	<b>The Honorable Lee H. Rosenthal</b>
	§	<b>U.S. District Judge</b>
<b>HARRIS COUNTY, TEXAS, et</b>	§	
<b>al.</b>	§	
	§	
<b>Defendants.</b>	§	

**HARRIS COUNTY CRIMINAL COURT AT LAW NO. 16 JUDGE  
DARRELL WILLIAM JORDAN'S AMENDED RESPONSE TO  
PLAINTIFFS' AMENDED MOTION FOR PRELIMINARY INJUNCTION**

Defendant, Harris County Criminal Court at Law No. 16 Judge Darrell William Jordan, in his official capacity ("Judge Jordan"), now files his Amended Response to Plaintiffs' Amended Motion for Preliminary Injunction [Doc. No. 143] and would respectfully show this Court as follows:

1. Based on the recent Reply filed by Plaintiffs [Dkt # 189, p. 14] and proposed Order for Injunctive Relief [Dkt #189-1], Plaintiffs are not seeking preliminary injunctive relief against Judge Jordan.
2. Judge Jordan believes the current bail bond system is broken and needs reform. He was not a participant in the current bail bond schedule. Judge Jordan operates his court in a manner that honors the Constitution and state law. Judge Jordan considers all factors set forth in Article 17.15 of the Texas Code of Criminal

Procedure when determining whether to set bail. He does not keep arrestees in jail solely because they cannot afford bail. Judge Jordan contends he is not subject to injunctive relief as a judicial officer and further contends he should not be enjoined because he is carrying out reform in his courtroom.

3. To the extent an assertion is made that Judge Jordan fails to consider a person's ability to pay, that is incorrect. Judge Jordan considers all the statutory factors including ability to pay when deciding whether to release an inmate on a personal bond or to set a bail amount. Because Judge Jordan does not set bail based solely on a person's ability to pay, any efforts to seek to enjoin him (whether preliminarily or permanently) would be inappropriate and contrary to the law. Although the law does not require "affordable bail," it does require that bail not be oppressive – which is why Judge Jordan considers ability to pay along with the other factors in determining whether to set bail.

### **Conclusion**

For the reasons set forth above, Plaintiffs are not entitled to preliminary or permanent injunctive relief against Judge Jordan. Further, because Plaintiffs have removed their request for preliminary injunctive relief against Judge Jordan, no injunction should issue against him.

Respectfully submitted,

*/s/ Laura Beckman Hedge*

**Laura Beckman Hedge**

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**ATTORNEY FOR DEFENDANT,  
HARRIS COUNTY CRIMINAL COURT  
AT LAW NO. 16 JUDGE DARRELL  
WILLIAM JORDAN, IN HIS OFFICIAL  
CAPACITY**

**OF COUNSEL:**

VINCE RYAN,

HARRIS COUNTY ATTORNEY

### **CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on March 6, 2017, I electronically filed the foregoing document with the Clerk of the Court for the United States District Court for the Southern District of Texas, Houston Division, using the electronic case filing system of the Court and served all parties of record in accordance with same.

*/s/ Laura Beckman Hedge*

\_\_\_\_\_ **Laura Beckman Hedge**