

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
Brownsville Division**

**STATE OF TEXAS, et al.**

Plaintiffs,

v.

**UNITED STATES OF AMERICA, et al.**

Defendants

Case No. 1:14-cv-254

**MOTION BY AMICUS CURIAE SHERIFF JOE ARPAIO  
FOR LEAVE OF COURT TO FILE  
TRANSCRIPT OF DEFENDANTS' ARGUMENT DECEMBER 22, 2014 BY  
DEPUTY ASSISTANT ATTORNEY GENERAL KATHLEEN HARTNETT  
AND TO PARTICIPATE IN EARLY DISCOVERY AND OTHER APPROPRIATE  
RELIEF**

Sheriff Joe Arpaio hereby moves this Court for leave to file as *Amicus Curiae* the transcript from his own litigation *Arpaio v. Obama* in the U.S. District Court for the District of Columbia, Civil Action No. 1:14-cv-01966, from a hearing December 22, 2014, before the Honorable Beryl Howell.

Sheriff Arpaio was previously accepted as *Amicus Curiae* largely for this Court to have the benefit of developments in that other litigation and the decision of Judge Howell in *Arpaio v. Obama*. The Court has generally adopted a policy of allowing all *amicus curiae* briefs to make the record as complete as possible.

For the reasons explained in the attached Supplemental Brief, the attached Transcript from the proceedings in the U.S. District Court for the District of Columbia, in *Arpaio v. Obama*, Case 1:14-cv-01966, December 22, 2014, are necessary and important for the Court's

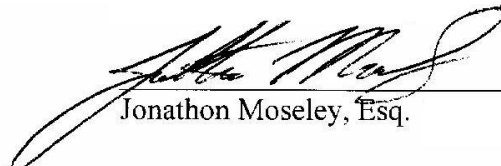
consideration now of the issues and concerns raised and argued in the March 19, 2015, oral argument before Judge Hanen in this case.

Second, in addition, Sheriff Joe Arpaio also moves the Court to allow him to participate, by counsel, in any early or targeted discovery ordered by the Court. Much of the information relevant to both cases will be the same and Sheriff Arpaio has an interest in these issues in the related case.

Serious issues are involved concerning the integrity of the legal process. The Obama Justice Department and its clients, as set forth in the accompanying Supplemental Amicus Curiae Brief by Amicus Curiae Sheriff Joe Arpaio Filing Transcript of Defendants' Argument December 22, 2014 By Deputy Assistant Attorney General Kathleen Hartnett, have lied intentionally to two Courts which have addressed the President's unconstitutional and illegal executive actions. As set forth in the accompanying amicus brief, this must be remedied in the interests of justice, through the commencement of contempt proceedings and the imposition of harsh sanctions on counsel for the Defendants. The President and his Justice Department are not above the law.

**CERTIFICATE OF CONSULTATION**

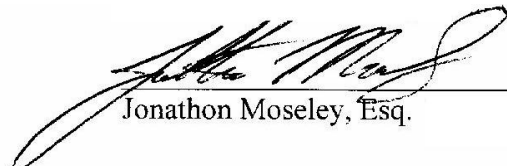
I hereby certify that I inquired of the counsel for the parties as to their position on this motion. Attorney Kyle Freeny for the Defendants responded that the Defendants oppose the motion. The Plaintiffs responded but were uncertain as to their support or opposition with regard to *Amicus Curiae's* participation in early discovery, and thought it was premature.

  
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Jonathon Moseley, Esq.

Dated: March 24, 2015

Respectfully submitted,

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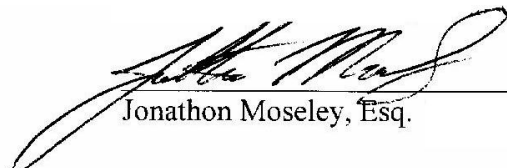
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Attorney for Plaintiff  
*Pro Hac Vice Approved*

**CERTIFICATE OF SERVICE**

I hereby certify that service of the foregoing Motion by *Amicus Curiae* Sheriff Joe Arpaio for Leave of Court to File Transcript of Defendants' Argument December 22, 2014, by Deputy Assistant General Kathleen Hartnett will be delivered electronically on March 24, 2015, to counsel for Plaintiffs and Defendants through the District's Electronic Case Filing system.



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Jonathon Moseley, Esq.