

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

HANNAH MAGEE PORTEE,

Plaintiff,

v.

MIKE MORATH *in his official capacity as
Commissioner of Education*, TEXAS
EDUCATION AGENCY, and STATE
BOARD FOR EDUCATOR
CERTIFICATION,

Defendants.

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1:23-CV-551-RP

FINAL JUDGMENT

On this date, the Court granted Plaintiff's Motion for Judgment on the Pleadings, (Dkt. 17).

As nothing remains to resolve, the Court renders final judgment pursuant to Federal Rule of Civil Procedure 58.

IT IS ORDERED that Defendants violated the Servicemembers Civil Relief Act, 50 U.S.C. § 4025a, to the extent that they required Portée to verify continuous use of her school counseling licenses for a two-year period preceding her relocation to Texas in order to obtain a Texas educator certification based on her out-of-state licenses.

IT IS FURTHER ORDERED that Defendants are permanently enjoined from enforcing 19 TEX. ADMIN. CODE § 230.113(b) with respect to Hannah Magee Portée's application for a Texas educator certificate to the extent it requires verification of continuous use of her out-of-state school counseling licenses for a two-year period prior to her relocation.

IT IS FURTHER ORDERED that Portée is entitled to recover costs of court and reasonable attorney's fees.

IT IS FINALLY ORDERED that Plaintiff shall file a motion for reasonable attorney's fees and a bill of costs, with supporting documentation, no later than fourteen days after the entry of final judgment, pursuant to Local Rules CV-7 and CV-54.

SIGNED on November 20, 2023.

A handwritten signature in blue ink, appearing to read "R. Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE