

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

COUNCIL ON AMERICAN-ISLAMIC RELATIONS
TEXAS DALLAS FORT WORTH AND COUNCIL
ON AMERICAN-ISLAMIC RELATIONS AUSTIN
TEXAS,

Plaintiffs,

v.

CASE NO. 1:25-CV-01878-ADA

GOVERNOR GREG ABBOTT, IN HIS OFFICIAL
CAPACITY; AND ATTORNEY GENERAL KEN
PAXTON, IN HIS OFFICIAL CAPACITY,

Defendants.

KEN PAXTON'S ORIGINAL ANSWER

Defendant Ken Paxton, in his official capacity as Attorney General of Texas, files this Answer to Plaintiffs' Complaint for Declaratory and Injunctive Relief (ECF No. 1).

Pursuant to Fed. R. Civ. P. 8(d), Defendant denies each and every allegation contained in Plaintiffs' Complaint with the exception of what is expressly admitted below.

The headings and numbered paragraphs below correspond to the sections and numbered paragraphs of the Plaintiffs' Complaint. Such headings are reproduced in this Answer solely for organizational purposes, and Defendant does not admit any matter contained in those headings.

INTRODUCTION

PLAINTIFFS' CLAIMS PRESENT NONJUSTICIALE POLITICAL QUESTIONS.

Plaintiffs complain regarding the designation by Governor Abbott of the Council on American-Islamic Relations (a different legal entity than either of Plaintiffs) as a "foreign terrorist organization" and a "transnational criminal organization" pursuant to statutory authorization by the Texas Legislature. Designation of an entity as a "foreign terrorist organization" and a "transnational criminal organization" are non-justiciable political questions committed by the Texas Constitution to the political branches of the Government of Texas. Article III of the United

States Constitution does not authorize the federal judiciary to adjudicate these matters. *See, e.g.*, *Ali v. Al-Nahyan*, 2025 U. S. Dist. LEXIS 229873, 2025 WL 3250945 (D. D. C. 2025).

THE PLAINTIFFS' CLAIMS ARE ONE OVER WHICH THIS COURT LACKS SUBJECT MATTER JURISDICTION.

This Court lacks subject matter jurisdiction over Plaintiffs' claims against Attorney General Paton. Plaintiffs lack standing because neither Plaintiff is named as a foreign terrorist organization or transnational criminal organization in Governor's Abbott's November 18m, 2025, Proclamation. Plaintiffs do not allege an injury in fact from any action of Attorney General Paxton. Plaintiffs' claims in this action are not ripe because Attorney General Paxton has taken no action against either of Plaintiffs pursuant to Governor's Abbott's November 18m, 2025, Proclamation. Moreover, Attorney General Paxton has sovereign immunity from this suit and any liability herein. In addition, the Eleventh Amendment to the United States Constitution bars this suit.

ATTORNEY GENERAL PAXTON SUBSTANTIALLY DENIES THE PLAINTIFFS' CLAIMS.

Pursuant to Fed. R. Civ. P. 8(d), Defendant Paxton denies each and every allegation contained in Plaintiffs' Complaint with the exception of those allegations expressly admitted below. Plaintiffs' claims rely entirely on speculation about actions Defendant Paxton has not taken and on political disagreements with Texas's laws and efforts of the Legislature and Governor Abbott to defend the people of Texas from terrorism.

The headings and numbered paragraphs below correspond to the sections and numbered paragraphs of the Plaintiffs' Complaint. Such headings are reproduced in this Answer solely for organizational purposes, and Defendant does not admit any matter contained in those headings.

DEFENDANT PAXTON'S ANSWER TO COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Defendant Paxton denies that Plaintiffs are entitled to recover any of the relief sought in the Complaint. Defendant Paxton denies the allegations of the unnumbered introductory paragraph in its entirety.

PARTIES

1. Defendant Paxton admits that Plaintiff CAIR DFW claims it is a party to this case. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the remainder of the allegations in this paragraph and therefore denies them.
2. Defendant Paxton admits that Plaintiff CAIR Austin claims it is a party to this case. Defendant lacks knowledge or sufficient information to form a belief about the truth of the remainder of the allegations in this paragraph and therefore denies them.
3. Admit.
4. Admit.

JURISDICTION AND VENUE

5. Defendant Paxton denies that the Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 2201. Defendant Paxton admits that plaintiffs purport to assert claims for relief under 28 U.S.C. § 2201, but denies that any such claims are valid or legally cognizable.
6. Defendant Paxton admits that venue is appropriate in this district.
7. Defendant Paxton admits that this Court has personal jurisdiction over Defendant Paxton. Defendant denies the remainder of the allegations in this paragraph.
8. Defendant Paxton is without sufficient information to admit or deny that this Court has personal jurisdiction over Defendant Abbott and therefore denies the allegations in this paragraph.

STATEMENT OF FACTS

9. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
10. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
11. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.

12. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
13. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
14. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
15. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
16. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
17. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
18. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
19. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
20. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
21. Defendant Paxton admits the existence of what appears of record in Case No. 1:24-cv-00523 (W. D. Tex.) and denies the remainder of the allegations of Paragraph 21
22. Defendant Paxton admits the existence of what appears of record in Case No. 1:18-cv-01091 (W. D. Tex.) and otherwise denies the allegations of Paragraph 22.
23. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
24. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
25. Defendant Paxton admits that, on November 18, 2025, Governor Abbott issued a

Proclamation that refers to CAIR, and not specifically to Plaintiffs. Defendant Paxton states that the Proclamation speaks for itself, and denies the remaining allegations in this paragraph.

26. Defendant Paxton admits that Governor Abbott's Proclamation refers to CAIR, and not specifically to Plaintiffs, but denies the remaining allegations in this paragraph.
27. Defendant Paxton denies the allegations in this paragraph.
28. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
29. Defendant Paxton admits that Governor Abbott's Proclamation designated CAIR to be a Foreign Terrorist Organization under Texas Penal Code § 71.01(e) and denies the other allegations in this paragraph. The Proclamation did not "designate" CAIR to be a "successor organization" to the Muslim Brotherhood, as there is no legally cognizable "successor organization" "designation" to be made under the relevant codes.
30. Defendant Paxton denies the characterization of Governor Abbott's Proclamation as "inflammatory statements that have no basis in fact" and denies the remaining allegations in this paragraph. Governor Abbott's Proclamation cited several sources to substantiate the claims made within the Proclamation, for example, citing to the Federal Bureau of Investigations as the source of the statement that CAIR "is an Islamist organization that . . . was founded as a 'front group' for 'Hamas and its support network' in the United States." Proclamation, Plaintiffs' Exhibit A, ECF No 1-2, at 2.
31. Defendant Paxton admits that the Proclamation references CAIR's status as an unindicted co-conspirator in a prosecution of terrorism financing and denies the remaining allegations in this paragraph.
32. Defendant Paxton states that the Proclamation speaks for itself and denies the remaining allegations in this paragraph.
33. Defendant Paxton states that the Proclamation speaks for itself and denies the remaining allegations in this paragraph.

34. Defendant Paxton states that the Proclamation speaks for itself and denies the remaining allegations in this paragraph.
35. Defendant Paxton states that the Proclamation speaks for itself and denies the remaining allegations in this paragraph.
36. Defendant Paxton states that the referenced statute speaks for itself and denies the remaining allegations in this paragraph.
37. Defendant Paxton states that the referenced statute speaks for itself and denies the remaining allegations in this paragraph.
38. Defendant Paxton states that the Proclamation speaks for itself and denies the remaining allegations in this paragraph.
39. Defendant Paxton is without knowledge as to what if any notice was provided of the Proclamation and denies the allegations in this paragraph.
40. Defendant Paxton is without knowledge as to what if any notice was provided of the Proclamation and denies the allegations in this paragraph.
41. Defendant Paxton denies the allegations in this paragraph.
42. Defendant Paxton denies the allegations in this paragraph.
43. Defendant Paxton denies the allegations in this paragraph.
44. Defendant Paxton denies the allegations in this paragraph.

CAUSES OF ACTION
COUNT I

45. Defendant Paxton incorporates his answers to all preceding paragraphs as if fully set forth herein.
46. Defendant Paxton admits the text of the Supremacy Clause of the United States Constitution has been accurately transcribed, but denies its relevance in this action, and denies the remaining allegations in this paragraph.
47. Defendant Paxton admits the existence of the case referred to, but denies its relevance in this action, and denies the remaining allegations in this paragraph.

48. Defendant Paxton admits the general principle referred to, but denies its relevance in this action, and denies the remaining allegations in this paragraph.
49. Defendant Paxton admits the existence of the case referred to, but denies its relevance in this action, and denies the remaining allegations in this paragraph.
50. Defendant Paxton admits the statute referred to, denies the allegations in this paragraph as to sole authority, and denies the remaining allegations in this paragraph.
51. Defendant Paxton admits the case referred to, denies its relevance to this action, and denies the remaining allegations in this paragraph.
52. Defendant Paxton admits that Defendants are not the U. S. Secretary of State, but otherwise denies the remaining allegations in this paragraph.
53. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies the allegations of this paragraph.
54. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies the allegations of this paragraph.
55. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies the allegations of this paragraph.
56. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
57. Defendant Paxton denies the allegations in this paragraph.
58. Defendant Paxton denies the allegations in this paragraph. Defendant denies that Plaintiffs are entitled to the requested relief.

COUNT II

59. Defendant Paxton incorporates his answers to all preceding paragraphs as if fully set forth herein.
60. Defendant Paxton admits the text of the Fourteenth Amendment to the U. S. Constitution, denies its relevance in this action, and denies the remaining allegations in this paragraph.
61. Defendant Paxton admits that the Due Process Clause recognizes several rights, and admits

the existence of the case cited. Defendant Paxton denies the relevance of both to the present action, and denies the remaining allegations in this paragraph.

62. Defendant Paxton admits that the language of Texas Penal Code § 71.01 is accurately transcribed. Defendant denies the remaining allegations in this paragraph.
63. Defendant Paxton admits that the language of Texas Property Code § 5.251(7) is accurately transcribed. Defendant denies the remaining allegations in this paragraph.
64. Defendant Paxton denies the allegations of this paragraph.
65. Defendant Paxton denies the allegations of this paragraph.
66. Defendant Paxton denies the allegations of this paragraph.
67. Defendant Paxton denies the allegations of this paragraph.
68. Defendant Paxton denies the allegations of this paragraph.
69. Defendant Paxton denies the allegations of this paragraph.

COUNT III

70. Defendant Paxton incorporates his answers to all preceding paragraphs as if fully set forth herein.
71. Defendant Paxton admits that the First Amendment of the United States Constitution generally curtails state officials' ability to limit protected speech.
72. Defendant Paxton admits that political advocacy is generally subject to First Amendment protections. Defendant Paxton denies the relevance of the allegations in this paragraph to the present action, and denies the remainder of the paragraph.
73. Defendant Paxton denies the relevance of any tier of First Amendment scrutiny to the present action and denies the allegations of this paragraph.
74. Defendant Paxton denies the allegations of this paragraph.
75. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph as to Plaintiffs' activities, denied that some or all of the activities listed are "core political expression," and denies the allegations of this paragraph.

76. Defendant Paxton denies the relevance of the referenced activities to the proclamation or the present suit. Defendant Paxton therefore denies the allegations in this paragraph.
77. Defendant Paxton denies the allegations of this paragraph.
78. Defendant Paxton denies the allegations in this paragraph.
79. Defendant Paxton acknowledges the principles of freedom of speech and religion. Defendant Paxton denies any relevance of this paragraph to the Proclamation and the present suit, and therefore, denies the remaining allegations in this paragraph.
80. Defendant Paxton denies the notion that subjecting a designated foreign terrorist organization and persons promoting or aiding their criminal activities to heightened penalties under Chapter 125 of the Texas Civil Practice and Remedies Code bears any relevance to legitimate “advocacy.” Defendant Paxton acknowledges that a designation of Transnational Criminal Organization prohibits such an organization from purchasing or acquiring real property in the State of Texas under Chapter 5 of the Texas Property Code. Defendant Paxton denies the remaining allegations in this paragraph.
81. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph but notes that CAIR has been designated a “foreign terrorist organization” by the United Arab Emirates and by the State of Florida and therefore denies the allegations of this paragraph.
82. Defendant Paxton acknowledges that “legal advocacy, education, and civic engagement” generally constitute protected First Amendment activity. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph insofar as such protected activity relates to Plaintiffs and therefore denies the allegations of this paragraph.
83. Defendant Paxton denies the allegations in this paragraph.
84. Defendant Paxton denies the allegations in this paragraph. Defendant denies that Plaintiffs are entitled to the requested relief.

COUNT IV

85. Defendant Paxton incorporates his answers to all preceding paragraphs as if fully set forth herein.
86. Defendant Paxton acknowledges that the First Amendment protects freedom of association. Defendant Paxton denies the relevance of this paragraph to the present suit, and therefore, denies the remaining allegations in this paragraph.
87. Defendant Paxton acknowledges that case cited refers to a three-part balancing test in the context of expressive association challenges. Defendant Paxton denies the relevance of this paragraph to the present suit, and denies the remaining allegations in this paragraph.
88. Defendant Paxton denies the allegations in this paragraph.
89. Defendant Paxton denies the allegations in this paragraph.
90. Defendant Paxton acknowledges that the Proclamation designated the Muslim Brotherhood and CAIR to be “Foreign Terrorist Organizations” and “Transnational Criminal Organizations.” Defendant Paxton denies the other allegations of this paragraph.
91. Defendant Paxton denies the allegations of this paragraph.
92. Defendant Paxton denies the allegations of this paragraph.
93. Defendant Paxton denies the allegations of this paragraph.
94. Defendant Paxton denies the allegations of this paragraph.
95. Defendant Paxton denies the allegations of this paragraph.
96. Defendant Paxton denies the allegations of this paragraph.
97. Defendant Paxton denies the allegations in this paragraph. Defendant denies that Plaintiffs are entitled to the requested relief.

COUNT V

98. Defendant Paxton incorporates his answers to all preceding paragraphs as if fully set forth herein.
99. Defendant Paxton denies the allegations of this paragraph.
100. Defendant Paxton denies the allegations of this paragraph.

101. Defendant Paxton denies the allegations of this paragraph.
102. Defendant Paxton acknowledges that the Proclamation designated the Muslim Brotherhood and CAIR to be “Foreign Terrorist Organizations” and “Transnational Criminal Organizations.” Defendant Paxton denies the remaining allegations of this paragraph.
103. Defendant Paxton denies the allegations of this paragraph.
104. Defendant Paxton lacks knowledge or sufficient information to form a belief about the truth of the allegations in this paragraph and therefore denies them.
105. Defendant Paxton denies the allegations of this paragraph.
106. Defendant Paxton denies the allegations in this paragraph.
107. Defendant Paxton denies the allegations in this paragraph.
108. Defendant Paxton denies the allegations in this paragraph. Defendant denies that Plaintiffs are entitled to the requested relief.

PRAYER FOR RELIEF

1. Defendant Paxton denies that Plaintiffs are entitled to any of the relief requested herein.
2. Defendant Paxton denies that Plaintiffs are entitled to any of the relief requested herein.
3. Defendant Paxton denies that Plaintiffs are entitled to any of the relief requested herein.
4. Defendant Paxton denies that Plaintiffs are entitled to any of the relief requested herein. Defendant Paxton specifically denies that Plaintiffs are entitled to trial by jury on any claims asserted herein. Defendants request that the Court strike Plaintiffs’ jury demand.
5. Defendant Paxton denies that Plaintiffs are entitled to any of the relief requested herein.
6. Defendant Paxton denies that Plaintiffs are entitled to any of the relief requested herein.

DEFENDANT PAXTON’S AFFIRMATIVE AND OTHER DEFENSES

Defendant Paxton asserts the following and other defenses to the claims raised in Plaintiffs’ Complaint:

1. Plaintiffs’ claims present non-justiciable political questions.
2. This Court lacks subject-matter jurisdiction to consider each and every claim asserted in

Plaintiffs' Complaint against Defendant Paxton.

3. Plaintiffs have failed to state a claim against Defendant Paxton upon which relief can be granted.
4. Defendant Paxton asserts all applicable immunities to Plaintiffs' claims, including but not limited to his entitlement to sovereign immunity from suit and liability.
5. The Eleventh Amendment to the United States Constitution bars this action and all claims in it against Defendant Paxton.
6. Plaintiffs lack standing to bring this action and to assert each claim alleged in the Complaint against Defendant Paxton.
7. Pursuant to 42 U.S.C. § 1988(b), Defendant Paxton will be entitled to recover attorney's fees if he is the prevailing party.
8. Defendant Paxton reserves the right to assert additional affirmative and other defenses as they may become apparent in the factual development of this case.

Defendant Attorney General Ken Paxton, in his official capacity, requests that Plaintiffs take nothing by their Complaint and for further relief as authorized by law.

Date: December 22, 2025

Respectfully submitted.

KEN PAXTON
Attorney General

/s/ David Bryant

BRENT WEBSTER
First Assistant Attorney General

DAVID BRYANT
Senior Special Counsel
Texas Bar No. 03281500

RALPH MOLINA
Deputy First Assistant Attorney General

MUNERA AL-FUHAID
Special Counsel
Texas Bar No. 24094501

RYAN D. WALTERS
Deputy Attorney General for Legal Strategy

ALEXIA K. BAKER
Assistant Attorney General
Tex. State Bar No. 24149596

RYAN G. KERCHER
Chief, Special Litigation Division
Texas Bar No. 24060998

OFFICE OF THE ATTORNEY GENERAL OF TEXAS
Special Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
Tel.: (512) 463-2100
david.bryant@oag.texas.gov
munera.al-fuhaid@oag.texas.gov
alexia.baker@oag.texas.gov

**COUNSEL FOR ATTORNEY GENERAL KEN
PAXTON, IN HIS OFFICIAL CAPACITY**

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on December 22, 2025, and that all counsel of record were served by CM/ECF.

/s/ David Bryant
DAVID BRYANT