

provided in the “Memorandum Opinion and Order” (ECF No. 183), entered on February 14, 2019.¹ Specifically, therein, the Court found that the Tribe’s bingo activities violate Texas gaming laws and regulations, which are federalized by the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act (“Restoration Act”), Pub. L. No. 100-89, 101 Stat. 666 (1987).

Accordingly, **IT IS ORDERED** that the Ysleta del Sur Pueblo; the Tribal Council; the Tribal Governor; and all agents, employees, persons, or entities acting in privity with the aforementioned parties are hereby **ENJOINED** from engaging in, permitting, or conducting certain violations of the Restoration Act; Chapter 47 of the Texas Penal Code; the Bingo Enabling Act, TEX. OCC. CODE § 2001.001 *et seq.*; and/or Chapter 402 of the Texas Administrative Rules, 16 TEX. ADMIN. CODE § 402.100 *et seq.* Specifically, the following activities are enjoined:

¹ In determining the terms of the injunction, the Court considered “Plaintiff Texas’s Proposed Injunction” (ECF No. 185), filed on March 1, 2019; “Pueblo Defendants’ Response to Court’s Invitation to Submit Draft Proposed Permanent Injunction Language” (ECF No. 186), filed on March 1, 2019; and “Pueblo Defendants’ Response to Plaintiff Texas’s Proposed Injunction” (ECF No. 191), filed on March 8, 2019.

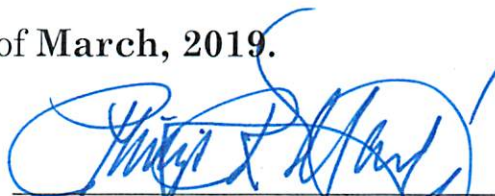
1. Conducting any bingo activities—including live-called bingo as well as bingo conducted on a machine—that:
 - a. Exceed three bingo occasions per week,
 - b. Exceed two bingo occasions in one day, and/or
 - c. Exceed four hours per bingo occasion.
2. Conducting any bingo activities outside the days and times listed on a valid license from the Texas Lottery Commission.
3. The use of any cardminding device—including, but not limited to, one-touch machines—as a receptacle for the deposit of tokens or money in payment for playing the bingo card played with the device's assistance.
4. The use of any cardminding device—including, but not limited to, one-touch machines—as a dispenser for the payment of a bingo prize; including currency, coins, vouchers, or other things of value.
5. The use of any cardminding device which allows players to monitor more than sixty-six bingo cards at one time.
6. The use of any bingo equipment that has not been supplied by a licensed manufacturer or distributor.

7. The use of any cardminding device that has not been tested by either an independent testing facility or the Texas Lottery Commission's testing lab to evaluate the machine's compliance with the standards articulated in 16 TEX. ADMIN. CODE § 402.324.

IT IS FURTHER ORDERED that this injunction applies on the territory of the Ysleta del Sur Pueblo's reservation, Speaking Rock Entertainment Center, Socorro Tobacco Outlet, and any other property owned or controlled by the enjoined parties or persons or entities acting in privity with the enjoined parties within the State of Texas.

IT IS FINALLY ORDERED that this Permanent Injunction shall become effective ninety (90) days after entry or ninety (90) days after the expiry of a stay, whichever comes later.

SIGNED this 28 day of March, 2019.



PHILIP R. MARTINEZ
UNITED STATES DISTRICT JUDGE