

Classifieds & Public Notices

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Public Notices

Slaton Texas Ordinance Outlawing Abortion Within the City Limits

Sec. 8.09.008 Severability

(a) Mindful of Leavitt v. Jane L., 518 U.S. 137 (1996), in which in the context of determining the severability of a state statute regulating abortion the United States Supreme Court held that an explicit statement of legislative intent is controlling, the provisions and applications of this article shall be severable as follows:

(1) It is the intent of the city commission that every section, provision, subsection, sentence, clause, phrase or word in this article, and every application of the provisions in this article, are severable from each other. If any application of any provision in this article to any person, group of persons, or circumstances is found by a court to be invalid or unconstitutional, then the remaining applications of that provision to all other persons and circumstances shall be severed and may not be affected. All constitutionally valid applications of the provisions in this article shall be severed from any applications that a court finds to be invalid, leaving the valid applications in force, because it is the city commission's intent and priority that the valid applications be allowed to stand alone. Even if a reviewing court finds a provision of this article to impose an undue burden in a large or substantial fraction of relevant cases, the applications that do not present an undue burden shall be severed from the remaining applications and shall remain in force, and shall be treated as if the city commission had enacted an ordinance limited to the persons, group of persons, or circumstances for which the provision's application do not present an undue burden. The city commission further declares that it would have enacted this article, and each provision, section, subsection, sentence, clause, phrase, or word, and all constitutional applications of this article, irrespective of the fact that any provision, section, subsection, sentence, clause, phrase, or word, or applications of this article were to be declared unconstitutional or to represent an undue burden.

(2) If any court declares or finds a provision in this article facially unconstitutional, when there are discrete applications of that provision that can be forced against a person, group of persons, or circumstances without violating the Constitution, then those applications shall be severed from all remaining applications of the provision, and the provision shall be interpreted as if the city commission had enacted a provision limited to the persons, group of persons, or circumstances for which the provision's application will not violate the Constitution.

(3) If any provision of this article is found by any court to be unconstitutionally vague, then the applications of that provision that do not present constitutional vagueness problems shall be severed and remain in force, consistent with the declarations of the city commission's intent in Subsec-

tions (a)(1) and (a) (2).

(4) No court may decline to enforce the Severability requirements in Subsections (a)(1), (a) (2), and (a) (3) on the ground that severance would "rewrite" the ordinance or involve the court legislative or lawmaking activity. A court that declines to enforce or enjoins a locality or government official from enforcing a subset of an ordinance's application is never "rewriting" an ordinance, as the ordinance continues to say exactly what it said before. A judicial injunction or declaration of unconstitutionality is nothing more than a non-enforcement edict that can always be vacated by later courts if they have a different understanding of what the Constitution requires; it is not a formal amendment of the language in a statute or ordinance. A judicial injunction or declaration of unconstitutionality no more "rewrites" an ordinance than a decision by an executive official not to enforce a duly enacted statute or ordinance in a limited and defined set of circumstances.

(5) If any federal or state court ignores or declines to enforce the requirements of Subsections (a)(1), (a) (2), (a) (3) and (a)(4), or holds a provision of this article invalid or unconstitutional on its face after failing to enforce the severability requirements of Subsections (a)(1), (a) (2), (a) (3) and (a)(4), for any reason whatsoever, then the Mayor shall hold delegated authority to issue a saving construction of this article that avoids the constitutional problems or other problems identified by the federal or state court, while enforcing the provisions of this article to the maximum possible extent. The saving construction issued by the Mayor shall carry the same force of law as an ordinance; it shall represent the authoritative construction of this article in both federal and state judicial proceedings; and it shall remain in effect until the court ruling that declares invalid or enjoins the enforcement of the original provision in this article is overruled, vacated or reversed.

(6) The Mayor must issue the saving construction described in Subsection (a)(5) within 20 days after a judicial ruling that declares invalid or enjoins the enforcement of a provision of this ordinance after failing to enforce the severability requirements of Subsections (a)(1), (a)(2), (a)(3) and (a)(4), or if the Mayor's saving construction fails to enforce the provisions of the ordinance to the maximum possible extent permitted by the Constitution or other superseding legal requirements, as construed by the federal or state judiciaries, then any person may petition for a writ of mandamus requiring the Mayor to issue the saving construction described in Subsection (a)(5).

20-1tc/935

NOTICE: Original Letters of Administration for the Estate of **STEVEN WAYNE FIFE**, Deceased, were issued on December 2, 2021, under Docket No. **2021-768,095**, pending in the County Court of Lubbock County, Texas, to **KATHY RILEY**.

Claims may be addressed as follows:

Representative,
KATHY RILEY
Estate of **STEVEN WAYNE FIFE**, Deceased
c/o Harvey L. Morton,
Attorney
P.O. Box 10305
Lubbock, Texas 79408

All persons having claims against this estate are required to present them within the time and in the manner prescribed by law.

DATED December 2, 2021.
By /s/ Harvey L. Morton,
Attorney
20-1tc/93

NOTICE TO CREDITORS

Notice is hereby given that original Letters of Testamentary for the Estate of **PHILIP ADAMS DENNIS**, Deceased, were issued on December 9, 2021, in Cause No. **CC-2021-PR-0220**, pending in the County Court of Lubbock County, Texas, to: **REBECCA ANN HASKITT**.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: **Rebecca Ann Haskitt**
5116 59th Street
Lubbock, Texas 79414
DATED the 9th day of December, 2021.

By: /s/ Lee Franks
Attorney for **Applicant**
State Bar No.: 24065247
20-1tc/101

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of **PAUL MAURICE COATS**, Deceased, were issued on December 7, 2021, in Cause No. **CC-2021-PR-0279**, pending in the County Court of Lubbock County, Texas, to: **JARED COATS**.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: **JARED COATS**
5422 16th Place
Lubbock, Texas 79416
DATED the 9th day of December, 2021.

NATHAN ZIEGLER & ASSOCIATES
12413 Quaker Avenue
Lubbock, Texas 79424
Telephone: (806) 765-8801
Facsimile: (806) 762-3313
By: /s/ **AARON M. PIER**
Attorney for **JARED COATS**
State Bar No.: 24041694
E-mail: a.pier@westtexaslaw.com
20-1tc/119

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of **BETTY (BUSCH) O'NEAL**, Deceased, were issued on December 8, 2021, in Cause No. **CC-2021-PR-0280**, pending in the County Court of Lubbock County, Texas, to: **MILLER ANDREW CUNNINGHAM**.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: **Miller Andrew Cunningham**
3225 John Court South
Hurst, Texas 76054
DATED the 9th day of December, 2021.

NATHAN ZIEGLER & ASSOCIATES
12413 Quaker Avenue

Lubbock, Texas 79424
Telephone: (806) 765-8801
Facsimile: (806) 762-3313
By: /s/ **AARON M. PIER**
Attorney for **Miller Andrew Cunningham**
State Bar No.: 24041694
E-mail: a.pier@westtexaslaw.com
20-1tc/123

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF ROBERT M. COSBY, DECEASED

NOTICE IS HEREBY GIVEN that original Letters Testamentary for the Estate of **ROBERT M. COSBY**, Deceased, were issued on November 30, 2021, in Docket No. **CC-2021-PR-0228**, pending in the County Court of Lubbock County, Texas, to **JANE K. COSBY**, who now holds such letters.

All persons having claims against this Estate which is currently being administered are hereby required to present them to my attorney, **STEPHEN J. STONE**, at the address given below, before suit on same are barred by the general statutes of limitation, before such estate is closed, and within the time otherwise prescribed by law. The address to which claims may be presented is **2112 Indiana, Lubbock, Texas 79410**.

DATED this 8th day of December, 2021.

BY: **JANE K. COSBY**,
INDEPENDENT EXECUTOR
20-1tc/139

NOTICE TO CREDITORS

Notice is given that original Letters Testamentary for the Estate of **JAMINETTE ELAINE BRUMLEY** were issued on November 19, 2021, pending in the County Court **CC-2021-PR-0255** of Lubbock County, Texas, to **MELISSA ADELL GOODE**.

All persons having claims against the estate, which is presently being administered, are required to submit them, within the time and manner prescribed by law, and before the estate is closed, addressed as follows:

Representative
Estate of **Jamiette Elaine Brumley**
c/o **Dakota Wrinkle**
1910 Pacific Avenue, Suite 6030
Dallas, TX 75201
DATED: December 14, 2021
By /s/ **Dakota Wrinkle**
Attorney for Executor
of the Estate of
Jamiette Elaine Brumley
20-1tc/106

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF LAURA HOPKINS

Notice is hereby given that original Letters Testamentary for the Estate of **LAURA HOPKINS**, Deceased, were issued on December 14, 2021, in Cause No. **CC-2021-PR-0293** pending in the County Court of Lubbock County, Texas, to **DEBORAH KAY GARCIA**, as Independent Executor of the estate.

Claims may be presented in care of the attorney for the estate, addressed as follows:

DEBORAH KAY GARCIA
Estate of **LAURA HOPKINS**, Deceased
c/o **Kacey Stevens**
Baker, Brown & Thompson, P.C.
5010 University Ave., Ste. 433
Lubbock, Texas 79413

All persons having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law.

DATED December 14, 2021

BAKER, BROWN & THOMPSON, P.C.
Attorneys for the Estate
20-1tc/135

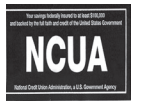
Land For Sale

LAND FOR SALE: 1/2 acre residential tract on CR 3440 (Roma Road) four-tenths of mile north of Industrial Drive (old Hwy. 84). City of Slaton water available. Look for survey flags on west side of road. \$36,500. Select your own builder. 806-781-6940.

32-tfc

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790-5476

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Deadline: Tuesday at NOON

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Jim & Paula Sadler



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