

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

MITCHELL VEXLER, CATHERINE VEXLER,
JIM SOLINSKI, AND GLORIA SOLINSKI,
Petitioners,

v.

DON SPENCER, IN HIS OFFICIAL CAPACITY AS CHIEF
APPRAISER OF DENTON CENTRAL APPRAISAL DISTRICT;
DENTON CENTRAL APPRAISAL DISTRICT; AND MAVEX
SHOPS OF FLOWER MOUND, LP, *Respondents.*

**ON PETITION FOR A WRIT OF CERTIORARI TO THE
COURT OF APPEALS FOR THE SECOND DISTRICT OF TEXAS
MOTION TO EXPEDITE CONSIDERATION OF THE
PETITION FOR A WRIT OF CERTIORARI**

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MOTION TO EXPEDITE CONSIDERATION OF THE PETITION

Petitioners respectfully move under Supreme Court Rule 21 for an order expediting consideration of the accompanying Petition for a Writ of Certiorari. Petitioners request that (1) any response to the petition, whether in opposition or support, be filed within 21 days after the case is placed on the docket; (2) any reply be filed within 7 days after that response deadline; and (3) the petition be distributed for the earliest practicable Conference. Petitioners expressly waive the 14-day waiting period under Rule 15.5 and request distribution after the requested 7-day reply period.

REASONS FOR EXPEDITION

1. The petition presents a narrow structural question that is ready for resolution on the existing record. It asks whether a State may make an administrative remedy exclusive when the designated tribunal lacks authority to grant the prospective relief sought, so that no state court can adjudicate the preserved claim. Pet. i, 8-14. Petitioners seek no determination of property values, refunds, or disputed appraisal facts. They seek a limited disposition vacating the judgment and remanding for adjudication by a tribunal possessing equitable authority. Pet. 13-14.

2. The challenged mechanism is readily replicable. A State can designate a specialized administrative body as the exclusive forum, limit that body to correcting individual past orders, and then invoke exclusivity to prevent courts from considering a continuing policy or method. If the existence of a procedurally available but remedially powerless forum is sufficient, the same architecture can foreclose adjudication in licensing, public benefits, professional discipline, land use, education, election administration, and other fields. Pet. 12-13. The concern implicates the uniform force of federal constitutional protections, although the petition itself is confined to the due-process questions presented.

3. The asserted injury is continuing rather than historical. Petitioners repeatedly explained below that annual review of past appraisal action cannot substitute for an injunction governing future conduct and instead requires owners to repeat the same appraisal, protest, expense, and litigation cycle.

Pet. App. 46a-48a, 53a-60a, 73a-76a. Ordinary delay therefore does not merely postpone review of a completed transaction; it permits the alleged procedural dead end to recur through additional annual cycles.

4. The requested schedule materially shortens the ordinary certiorari timetable without requiring emergency merits adjudication. Rule 15 ordinarily allows 30 days after docketing for a response, and, when a brief in opposition is filed, Rule 15.5 ordinarily delays distribution for at least 14 additional days unless petitioners waive that waiting period. The requested 21-day response period and 7-day reply period preserve meaningful time for certiorari-stage submissions while allowing earlier distribution. The same remedial issue was litigated in the trial court, the court of appeals, and the Supreme Court of Texas. Pet. App. 29a-76a.

5. Expedition would not predetermine the merits or prejudice Respondents. The Court retains full discretion to deny the petition, request additional briefing, or set another schedule. Prompt consideration would address whether procedural channeling may become complete non-adjudication while the challenged statutory structure remains operative and the annual appraisal cycle continues.

CONCLUSION

The Court should grant this motion, direct that any response to the petition be filed within 21 days after docketing, permit any reply within 7 days after that response deadline, and distribute the petition for the earliest practicable Conference after the requested reply period.

Respectfully submitted,

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Dated: August __, 2026