



FOR IMMEDIATE RELEASE
May 8, 2020

Contact: Desi Porter
desi@TexansAgainstHSR.com

COURT OF APPEALS HSR RULING SETS DANGEROUS EMINENT DOMAIN PRECEDENT

Jewett, Texas – Jim and Barbara Miles, of Leon County, learned Thursday that in their legal fight to protect their ranch and private property rights from the proposed high-speed rail project, the Corpus Christi Court of Appeals ruled in favor of Texas Central and its newly-formed affiliate ITL, stating that both entities are railroad companies and interurban electric railways under Texas law. While this ruling was not the outcome the Miles expected, the companies still cannot access or condemn their property, as the Miles will be appealing the ruling to the Texas Supreme Court.

Blake Beckham, the Miles' attorney and Special Litigation Counsel to Texans Against HSR (TAHSR), said, "If ever there was a ruling that created 'the Wild, Wild, West' of eminent domain authority, this is it. This ruling creates a dangerous precedent that would allow anybody with \$300 and a computer to immediately obtain the extraordinary power of eminent domain by simply filing papers with the Texas Secretary of State self-declaring to be a railroad. This is not and cannot be the law in Texas."

Kyle Workman, Chairman and President of TAHSR, said, "We are disappointed the Court of Appeals treated these fundamental private property rights, cherished by all Texans, with such disregard. This project's cost estimate is now at \$30B, the company has laid off the majority of its staff and still does not have the plans, permits or funds to move forward, so this project is far from shovel-ready as they claim. Jim and Barbara Miles are still in this fight, and we are standing with them, as should all Texans who value private property rights."

To have the original ruling by Judge Deborah Evans that Texas Central and ITL are *not* railroads or interurban electric railways upheld, Jim and Barbara Miles will appeal to the Texas Supreme Court, which has consistently and repeatedly recognized the importance of private property rights in Texas. "This Court of Appeals ruling has only strengthened our resolve to keep fighting to protect not only our property but the private property rights of all Texans. We are hopeful the Supreme Court will see how this ruling could open a Pandora's Box of eminent domain issues in Texas. They simply cannot allow this Appeals Court ruling to stand."

Landowners should know Texas Central still has no right on their private property at this time. While TAHSR suspects Texas Central will try to use this ruling to enter private property for surveys and other activities or try to secure additional funding for the project, until the Texas Supreme Court issues a final, unappealable ruling, Texas Central cannot condemn private property.

###