



## Courthouse News Service: DOJ Tells Texas Court it Should Not Judge Merits of Trump's Border Declaration

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In response to a lawsuit filed by El Paso County and the Border Network for Human Rights, the DOJ told a Texas judge that the country's lawmakers, rather than its courts, should decide if President Trump abused his power when he declared a national emergency at the southern border in February.

O'Melveny associate Ephraim McDowell represented El Paso County and the Border Network for Human Rights. During the hearing, McDowell "told the judge that unlawful immigration at the southern border does not constitute an 'unforeseen' circumstance calling for immediate action—the dictionary-definition of 'emergency.'"