

In the News

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

August 29, 2019



RELATED PROFESSIONALS

[Ephraim A. McDowell](#)

Washington, DC
D: +1-202-383-5102

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.

RELATED PRACTICES

[Litigation](#)

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.'"