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Sara L. Smith
Lubbock County - 237th District Court
Lubbock County, Texas

CAUSE NO. DC-2025-CV-1817

TB

KEVIN N. BASS,	§	**IN THE DISTRICT COURT**
	§	
Plaintiff,	§	
	§	
vs.	§	**OF LUBBOCK COUNTY, TEXAS**
	§	
DARRIN D'AGOSTINO, D.O., M.P.H., M.B.A., in his official capacity as Provost and Executive Vice President of Academics of Texas Tech University Health Sciences Center; and AMANDA McSWEEN, in her official capacity as Managing Director of Enrollment Services and University Registrar of Texas Tech University Health Sciences Center,	§	
	§	
Defendants.	§	**237th JUDICIAL DISTRICT**

ORDER ON DEFENDANTS' PLEA TO THE JURISDICTION OR, IN THE ALTERNATIVE, PLEA IN ABATEMENT

On this day the Court considered Defendants' Plea to the Jurisdiction or, in the Alternative, Plea in Abatement (the "Motion"). The Court, having considered the Motion, Plaintiff's response, Defendants' reply, the pleadings on file, and the applicable law, finds that the Motion should be GRANTED.

IT IS THEREFORE ORDERED that Defendants' Plea to the Jurisdiction is GRANTED. The Court finds that it lacks subject-matter jurisdiction over Plaintiff's claims. Accordingly, Plaintiff's claims are DISMISSED without prejudice.

~~**IT IS FURTHER ORDERED** that, in the alternative, Defendants' Plea in Abatement is~~ GRANTED. Accordingly, all proceedings in this case are ABATED pending final disposition of the parallel civil action in the U.S. District Court for the Northern District of Texas styled *Kevin N. Bass v. Texas Tech University Health Sciences Center, et al.*, Civil Action No. 5:25-cv-00244-H-BV (the "federal action"). The parties shall notify the Court within fourteen (14) days after the ~~federal action has been finally disposed.~~

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SIGNED on March 26, 2026

HONORABLE LES HATCH

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Karla Gutierrez on behalf of Scott Smith
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Associated Case Party: Darrin D'Agostino

Name	BarNumber	Email	TimestampSubmitted	Status
Karla Gutierrez		karla.gutierrez@oag.texas.gov	3/13/2026 3:36:55 PM	SENT
Scott D. Smith		scott.smith@oag.texas.gov	3/13/2026 3:36:55 PM	SENT

Associated Case Party: Kevin Bass

Name	BarNumber	Email	TimestampSubmitted	Status
Kevin N. Bass		kbassphiladelphi@gmail.com	3/13/2026 3:36:55 PM	ERROR

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