News

A migrant family is dropped off Dec. 13, 2022, at a migrant shelter run by the Annunciation H

A migrant family is dropped off Dec. 13, 2022, at a migrant shelter run by the Annunciation House in downtown El Paso, Texas. The Texas Supreme Court has overturned a lower court ruling, allowing Texas Attorney General Ken Paxton to move forward with his investigation into Annunciation House. (OSV News/Reuters/Ivan Pierre Aguirre)

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June 4, 2025

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Texas Attorney General Ken Paxton can move forward with his investigation into El Paso's Annunciation House, a Catholic nonprofit serving migrants, the Texas Supreme Court said May 30.

In court filings and press statements since February 2024, Paxton's office has sought to shut down Annunciation House, alleging that the organization facilitates illegal border crossings, conceals "illegally present aliens from law enforcement," and did not turn over documents the office sought in its investigation. However, Annunciation House and its attorneys have denied wrongdoing or illegal conduct and said the attorney general's office did not adhere to appropriate legal processes for

requesting documents from the organization.

In July, a state judge denied Paxton's effort to shut down the nonprofit, finding that his office "failed to establish probable grounds" for such an effort, arguing he violated the Texas Religious Freedom Restoration Act, among other issues. Shortly after, Paxton appealed directly to the state's highest court to revive his effort.

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A decision written by Texas Supreme Court Justice Evan Young said the nature of the direct appeal means it "must address this dispute far earlier than we typically would," arguing it initially finds the lower court was "premature" in blocking Paxton's effort.

"It is too early for us, or for any court, to express a view about the merits of the underlying issues," Young wrote. "Perhaps the case will terminate quickly based on evidentiary or legal grounds; perhaps it will go to trial. Perhaps the Texas Religious Freedom Restoration Act will affect the proceedings in an outcome-determinative way; perhaps that statute will end up playing no such role."

Young, however, said that while there are "a host of serious questions" presented by the case, Annunciation House "is certainly correct on one point" that "merely providing shelter to persons who happen to be migrants, regardless of their legal status, does not violate the alien-harboring statute."

Paxton's office did not immediately respond to a request for comment from OSV News.

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A statement from El Paso Bishop Mark Seitz shared on Annunciation House's social media account said, "I have faith that justice will prevail and stand in solidarity with Annunciation House that works to faithfully uphold the Church's mission to help the least amongst us."

Paxton — who is running a primary campaign against fellow Texas Republican Sen. John Cornyn — is seen as a close ally of President Donald Trump.

Annunciation House operates several shelters in the El Paso area, helping migrants and refugees with food, housing and other assistance. It also provides information about how to complete the required legal documents to seek asylum in the U.S.