

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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ROBERT EUGENE CRAIN, et al.,

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W.D. OF TENN. MEMPHIS

Plaintiffs,

v.

NO. 90-2292-TUBRO

CITY OF MEMPHIS

Defendants.

CERTIFIED TRUE COPY  
ROBERT R. DI TROLIO  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

AMERICAN CIVIL LIBERTIES UNION  
OF TENNESSEE, et al.,

BY *R.C. Detton*  
DEPUTY CLERK

Plaintiffs,

v.

NO. 90-2315-TUBRO

RICHARD C. HACKETT, et al.,

Defendants.

JUDGMENT AND PERMANENT INJUNCTION

This Cause came on to be heard on the parties cross Motions for Summary Judgment under Rule 56, F.R.Civ.P. and the Court having considered the pleadings and the entire record, and having found that there is no genuine issue as to any material fact and concluded that the Plaintiffs rather than the Defendants are entitled to Judgment as a matter of law, and the Court on October 21, 1994 rendered and filed its Order granting the Plaintiffs' Motions for Summary Judgment and denying the Motions of the Defendants for Summary Judgment which Order shall constitute the Court's Findings of Fact and Conclusions of Law;

Therefore, in accord with the Order of October 21, 1994 and for the reasons set forth therein, it is

ORDERED, ADJUDGED AND DECREED that:

1. The Plaintiffs' Motions for Summary Judgment be and the same hereby are granted; and

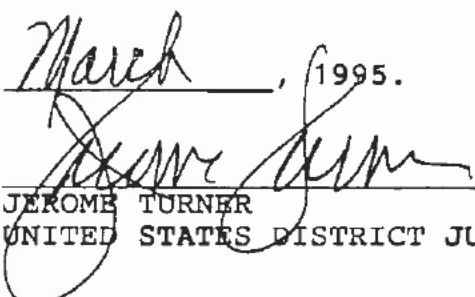
2. The Defendants' Motions for Summary Judgment be and the same hereby are denied; and

3. Memphis City Ordinance No. 3957, codified in Chapter 20, Code of Ordinances, City of Memphis, specifically Sections 20-125 through 20-128 inclusive be and the same hereby is declared unconstitutional as violative of the First and Fourteenth Amendments to the Constitution of the United States of America; and

4. The Defendants, their officers, agents, servants, employees, attorneys, or any of them, and all persons acting in concert or participation with them, or with any of them, be and hereby are permanently enjoined from enforcing Ordinance No. 3957 codified as Sections 20-125 through 20-128 inclusive City of Memphis Code of Ordinances; and

5. The Plaintiffs recover of the Defendants the costs in this action.

Dated this 8th day of March, 1995.

  
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JEROME TURNER  
UNITED STATES DISTRICT JUDGE