

FILED
U. S. DISTRICT COURT
MIDDLE DISTRICT OF TENN

JAN 15 2003

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BY DT
DEPUTY CLERK

CARL W. HEWITT and PATSY HEWITT)

Plaintiffs,)

vs.)

CITY OF COOKEVILLE, TENNESSEE,)

Defendant.)

Case No. 2 - 03 - 0004

ORDER

JUDGE HAYNES

upon representation that the city ordinance at issue on this motion has been repealed, this motion is DENIED without prejudice to renew. See D/E No 91
Fuller
U.S.D.
6-4-03

PLAINTIFFS' MOTION FOR DECLARATORY JUDGMENT, PRELIMINARY AND
PERMANENT INJUNCTIVE RELIEF AND DAMAGES

COME NOW the Plaintiffs, CARL W. HEWITT and PATSY HEWITT, by and through their undersigned counsel, pursuant to Rule 65 of the Federal Rules of Civil Procedure, and respectfully request this Court to enter a Declaratory Judgment, Preliminary and Permanent Injunction prohibiting the Defendant from enforcing City of Cookeville Ordinance 12-210, and state as follows:

1. This is a civil action whereby Plaintiffs seek Declaratory Judgment to determine the constitutionality of the City of Cookeville Ordinance 12-210 (hereafter "Ordinance") and of the actions of Defendant, CITY OF COOKEVILLE, TENNESSEE, (hereafter "Defendant"), in denying Plaintiffs the opportunity to exercise their constitutional rights to demonstrate on public sidewalks in the City, and pray that the Ordinance, both on its face and as applied, be declared unconstitutional under the First and Fourteenth Amendments to the United States Constitution.

Plaintiffs' Motion for Declaratory Judgment, Preliminary and Permanent Injunctive Relief and Damages

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This document was entered on
the docket in compliance with
Rule 58 and / or Rule 79 (a).

FRCP, or 10/4/03 by DT

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