

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
(NORTHERN DIVISION)

FILED

FEB 18 1966

CALIPH WASHINGTON, et al.

R. C. DOBSON, CLERK
By..... *JRS* Deputy Clerk

vs.

FRANK LEE, et al.

CIVIL ACTION

NO. 2350-N

Motion for Preliminary Injunction

On the complaint heretofore filed herein and the exhibits attached thereto, the Plaintiffs move this Court to issue a preliminary injunction enjoining the defendants, their agents, servants, employees, and attorneys and all persons in active concert and participation with them, pending the final hearing and determination of this action from:

1. Enforcing against plaintiffs and the class they represent the statutory provisions more fully mentioned in the Complaint filed herein on the grounds of their unconstitutionality on their face and in their application.

2. Excluding Negroes, solely on the basis of their race from employment, in the state, county, city or town penitentiaries, prisons or jails of Alabama.

3. Excluding Negroes, solely on the basis of their race, from employment as deputy sheriffs in Alabama.

Further grounds of this motion are that:

1. The injury to the plaintiffs and the class they represent will be irreparable even with final judgment for the plaintiffs.

Washington v. Lee



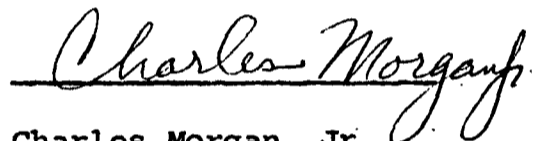
PC-AL-020-003

2. No injury will be sustained by the defendants or by the public through the issuance of a preliminary injunction.

3. The issuance of a preliminary injunction as prayed for herein will not cause undue inconvenience or loss to defendants, but will prevent irreparable injury to plaintiffs.

Plaintiffs further move this Court to convene for the purpose of hearing and determining the application for a preliminary injunction and this cause the statutory court of three judges, at least one of whom shall be a circuit judge, which such statutory court has been established in accordance with the provisions of Section 2281, Title 28, United States Code.

Respectfully submitted,



Charles Morgan, Jr.
5 Forsyth Street, N.W.
Atlanta, Georgia

Orzell Billingsley, Jr.
1630 Fourth Avenue North
Birmingham, Alabama

Melvin L. Wulf
156 Fifth Avenue
New York, New York