

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
**May 22, 1974**  
**William J. Brotnke, Clerk**  
**By Margarita E. Casanova**  
**Deputy**

BERNARD CROWE, et al.,	)	
	)	
Plaintiffs,	)	Civ. No. 72-4101
	)	
vs.	)	
	)	
DON R. ERICKSON, et al.,	)	TEMPORARY RESTRAINING ORDER
	)	
Defendants.	)	

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Plaintiffs have moved this Court for a Temporary Re-  
straining Order and Preliminary Injunction to prevent defen-  
dants from taking any disciplinary action against any members  
of the Indian sub-class for alleged violations of the proposed  
Penitentiary Haircut Rule.

Upon consideration of this motion, the attached affi-  
davits, the pleadings filed herein and the statements of counsel,  
it appears to this Court that:

1. Plaintiffs have raised substantial questions under  
the First Amendment to the Constitution of the United States  
concerning the application of the Penitentiary Haircut Rule  
to members of the Indian sub-class; and
2. Plaintiffs would suffer irreparable harm by being  
forced to choose between (a) being placed in administrative  
segregation and (b) cutting their hair.

It is hereby ORDERED that, pending a hearing on plain-  
tiffs' prayer for a Preliminary Injunction scheduled for  
**June 4 at 10:00 A.M. before Judge Boggs in Sioux Falls**  
1974 / defendants and their