IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NATIONAL ASSOCIATION FOR   )
THE ADVANCEMENT OF   )
COLORED PEOPLE ALAMANCE   )
COUNTY BRANCH, et al.,   )
)
    Plaintiffs,   )
)
    v.   )   1:20-CV-613
)
JERRY PETERMAN, et al.,   )
)
    Defendants.   )

PRELIMINARY INJUNCTION

The plaintiffs Alamance County Branch of the National Association for the

Advancement of Colored People, Tamara O. Kersey, Colleen Tenae Turner, Terence

Colin Dodd, Destiny Clarke, Annie Simpson, Nerissa Rivera, Adam Rose, and Gregory

Drumwright, move pursuant to Fed. R. Civ. P. 65 and LR 65.1 for a preliminary

injunction prohibiting the defendants from prohibiting protests on outdoor spaces around

the Alamance County Historic Courthouse grounds. After review of the evidence and

upon consideration of arguments of counsel, and as found in more detail in the opinion

and order filed concomitantly herewith, the Court finds and concludes:

1. The plaintiffs are likely to be successful on their claims that the County

   Defendants' total prohibition of protests on the steps of, sidewalks

   surrounding, and grounds of the Alamance County Historic Courthouse

   violates their First Amendment rights. The long-term total prohibition of

   protests on these traditional public forums is not a time, place and manner

restriction of speech, nor is it narrowly tailored to protect legitimate governmental interests.

2. The plaintiffs regularly protest and currently plan to protest in the imminent future in the public spaces around the Square in Graham and want to protest in the traditional public forum where the County Defendants have prohibited protests. They are likely to suffer irreparable harm absent preliminary relief.

3. The equities favor a preliminary injunction.

4. A preliminary injunction restraining unconstitutional prohibitions on First Amendment rights serves the public interest.

Based on these findings and conclusions, and for reasons explained in more detail in an Order entered concomitantly herewith, it is **ORDERED** that:

1. The plaintiffs' motion for a preliminary injunction, Doc. 47, is **GRANTED** to the extent stated herein.

2. The defendants **Terry S. Johnson,** in his official capacity as the Sheriff of Alamance County; **Eddie Boswell,** in his official capacity as Alamance County Commissioner; **Steve Carter**, in his official capacity as Alamance County Commissioner; **Bill Lashley**, in his official capacity as Alamance County Commissioner; **Amy Scott Galey**, in her official capacity as Alamance County Commissioner; **Tim Sutton**, in his official capacity as Alamance County Commissioner; and **Bryan Hagood,** in his official capacity as Alamance County Manager, and their officers, attorneys, agents, and employees and other persons who are in active concert or participation with them are hereby **RESTRAINED AND ENJOINED** from prohibiting all protests on the

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following spaces in and around the Alamance County Historic Courthouse in Graham, North Carolina:
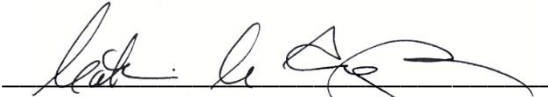
   a. the steps on the north, east, south, and west sides of the Courthouse steps;

   b. the lawns between the sidewalks and the Courthouse;

   c. the sidewalk encircling the Courthouse and the shorter walkways connecting the steps on each side to that encircling sidewalk; and

   d. the area marked "reserved" between the Courthouse sidewalk and the Confederate monument, where cars do not drive or park.

3.   Nothing in this Order prohibits the defendants from imposing reasonable time, place, and manner restrictions for use of Courthouse spaces. Nothing in this Order prohibits the defendants from temporarily restricting access to the outdoor Courthouse spaces set forth in Paragraph 2 during short-term emergency situations.

4.   In the Court's discretion, the bond requirement under Rule 65(c) is waived.

5.   Upon receipt, the defendants Johnson and Hagood shall immediately provide Notice of this Injunction to their officers, attorneys, agents, employees, and other persons who are in active concert or participation with them.

   This the 14th day of August, 2020, at 4:45 PM.

                                   UNITED STATES DISTRICT JUDGE

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