

1972 WL 131658

Only the Westlaw citation is currently available.
United States District Court,
N.D. Mississippi, Delta Division.

Kelly MCNEAL, et al, Plaintiffs

v.

TATE COUNTY SCHOOL DISTRICT, et al,
Defendants

No. DC 7029-S.

|

June 21, 1972.

ORDER WITH INJUNCTION

SMITH, J.

*1 Pursuant to the mandate of the United States Court of Appeals for the Fifth Circuit issued on appeal in this action and received by the Clerk of this Court on the 19th day of June, 1972, it is

ORDERED AND ADJUDGED:

I. That the order entered herein on August 19, 1970, upholding the sale of the Thyatira School property in Tate County, Mississippi, shall be, and the same hereby is, vacated;

II. That the sale of the school property aforesaid by the

defendant School District to defendant, Harold Webster Steward, shall be, and the same hereby is, approved, subject, however, in all respects, to the injunctive features of this order which follow;

III. That the Tate Educational Foundation, Inc., a Mississippi corporation, the ultimate purchaser and present owner of the said property, each and every member of its Board of Directors; each and every individual holding stock or membership in said corporation, their agents, employees, successors or assigns, and all those in active concert and participation with them, shall be, and hereby are, permanently enjoined and restrained from using the said Thyatira School property or any portion thereof for the operation of a private school on a discriminatory basis;

IV. That, in the use of said property or any portion thereof as a private school, the parties mentioned in Paragraph III above, are mandatorily permanently enjoined

a) to operate the said private school without discrimination of any kind or character based upon race, creed, color or national origin, and

b) to keep the doors of the school open at all times to all qualified applicants on an equal basis.

V. That the costs of this action, relative to the issue involving the sale of the Thyatira School property, shall be, and the same hereby are, taxed against the defendants.

All Citations

Not Reported in F.Supp., 1972 WL 131658