

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT
EASTERN DIVISION

FILED

JUL 3 1953

R. C. BROWN
CLERK

By LB
Deputy Clerk

ANTHONY T. LEE and HENRY A. LEE,
by Detroit Lee and Hattie M. Lee,
their parents and next friends,
et al.,

Plaintiffs,

- vs -

MACON COUNTY BOARD OF EDUCATION,
et al.,

Defendants.

CIVIL ACTION

NO. 604-5

MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs move this Court for a preliminary injunction enjoining the defendants, their agents, servants, employees, successors and all persons in active concert and participation with them from:

1. Continuing to operate a compulsory biracial school system in Macon County, Alabama.
2. Continuing to maintain a dual scheme or pattern of school zone lines or attendance area lines based on race or color in Macon County, Alabama.
3. Making initial assignments of pupils to the public schools of Macon County, Alabama on the basis of race or color.
4. Assigning teachers, principals and other professional personnel to the public schools under their jurisdiction on the basis of race or color.

5. Approving employment contracts, budgets and disbursing funds on the basis of race or color.

6. Constructing elementary and high schools in Macon County, Alabama on the basis of the dual attendance areas based on race or color.

7. Programming and supporting extra-curricular activities which are limited solely to one or the other of the races.

8. Continuing to make any other distinctions in the operation of the schools under their jurisdiction which are based solely on race or color.

In the alternative, plaintiffs pray that this Court enter a decree directing defendants to present a complete plan in a period of time to be determined by this Court for the re-organization of the entire school system of Macon County, Alabama, into a unitary, nonracial system which shall include a plan for the assignment of pupils, teachers, principals and other professional school personnel on a nonracial basis; the drawing of school zone or attendance area lines on a non-racial basis and the elimination of any other discrimination in the operation of the school system or curricula which are based solely on race or color.

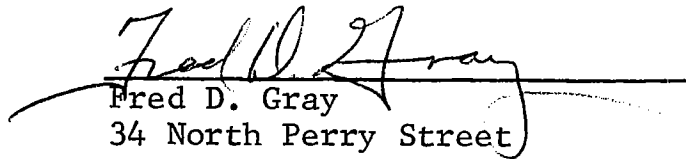
Plaintiffs pray that if this Court directs defendants to produce a desegregation plan that this Court will retain jurisdiction of this case pending court approval and full and complete implementation of defendants' plan.

Plaintiffs further pray that this Court will advance this cause on the docket and order a speedy hearing on this motion for a preliminary injunction, and after a final hearing in

in this case, this Court will enter a permanent injunction similarly enjoining the defendants, their agents, employees, successors and all persons in active concert and participation with them.

Plaintiffs also pray that this Court will grant them such other, further, additional or alternative relief as to a Court of Equity would appear to be necessary and just and grant them their costs herein.

Respectfully submitted,

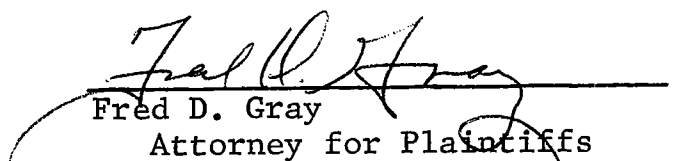

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Attorneys for Plaintiffs

Certificate of Service

I, Fred D. Gray, one of the attorneys of record for plaintiffs, hereby certify that I have on this 9th day of July, 1963, served a copy of the foregoing Motion For Preliminary Injunction on Richmond M. Flowers and Gordon Madison, State of Alabama, Administrative Building, Montgomery, Alabama, Attorneys for defendants, by mailing a copy thereof to them, postage prepaid.


Fred D. Gray
Attorney for Plaintiffs