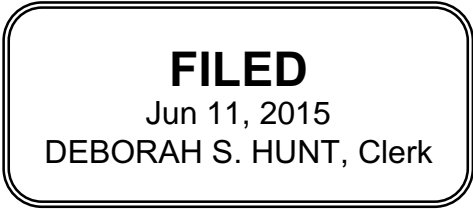


UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 13-5957



STEVE B. SMITH,
Plaintiff,

DAVID KUCERA; VICKIE F. FORGETY,
Plaintiffs - Appellees,

v.

JEFFERSON COUNTY BOARD OF
SCHOOL COMMISSIONERS,
Defendant - Appellant.

Before: BATCHELDER, GILMAN, and GIBBONS, Circuit Judges.

JUDGMENT

On Appeal from the United States District Court
for the Eastern District of Tennessee at Knoxville.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's decision on the Establishment Clause issue is REVERSED. IT IS FURTHER ORDERED that the judgment, injunction against the Jefferson County Board, the award of damages, and the order granting attorney's fees are VACATED.

ENTERED BY ORDER OF THE COURT

A handwritten signature in black ink, appearing to read "Deborah S. Hunt".

Deborah S. Hunt, Clerk