

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JORNALEROS DE LAS PALMAS, <i>Plaintiff,</i>	§ § § § § § § § § §	vs. CIVIL ACTION H-11-2703
CITY OF LEAGUE CITY, TEXAS, AND MICHAEL KRAMM, IN HIS CAPACITY AS CHIEF OF POLICE OF LEAGUE CITY, <i>Defendants.</i>		

FINAL JUDGMENT OF DECLARATORY AND INJUNCTIVE RELIEF

In accordance with the findings of fact and conclusions of law entered May 17, 2013 (Dkt. 196), it is ORDERED as follows:

1. Declaratory Judgment
 - (a) Texas Transportation Code § 552.007(a) is overly broad, void and invalid on its face under the First Amendment of the United States Constitution;
 - (b) Texas Transportation Code § 552.007(a) is void and invalid as applied by the City of League City, including its officers, agents, servants, and employees because it violates the rights of plaintiff's members under the First Amendment of the United States Constitution;
 - (c) League City Police Department Special Order 09-07 is void and invalid as applied by defendants, including its including its officers, agents, servants, and employees because it violates the rights of Jornaleros de Las Palmas members under the First Amendment of the United States Constitution and formed the

basis of retaliatory action and conduct against plaintiff's members in violation of the rights of plaintiff's members under the First Amendment of the United States Constitution.

2. Injunctive Relief

- (a) The City of League City, including its officers, agents, servants, employees, and attorneys, are permanently enjoined from enforcing Texas Transportation Code § 552.007(a) as currently written;
- (b) The City of League City, including its officers, agents, servants, employees, and attorneys, are permanently enjoined from enforcing Special Order 09-07 by singling out day laborers as a special target for enforcement of state trespass and solicitation laws by undertaking acts, such as those described in the court's findings of fact, meant specifically to discourage the solicitation of employment in public areas protected under the First Amendment of the United States Constitution, including sidewalks and public easements.

3. Notice

The City of League City shall be responsible for providing notice of this Final Judgment of Declaratory and Injunctive Relief to its officers, agents, servants, employees, and attorneys.

4. Attorneys' Fees

The court, in its discretion, may award to plaintiff reasonable attorneys' fees as part

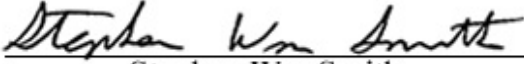
of the costs incurred in this case. The court will determine the amount of such fees under separate order.

5. No Other Relief Granted

With the exception of attorneys' fees, all relief requested in this case and not expressly granted in this Final Judgment of Declaratory and Injunctive Relief, including relief on plaintiff's Fourteenth Amendment discrimination claim, is denied.

6. This is a final judgment.

Signed at Houston, Texas, on June 19, 2013.



Stephen Wm Smith
United States Magistrate Judge