

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**HISPANIC INTEREST COALITION)
OF ALABAMA, *et al.*)**

Plaintiffs,)

vs.)

Case Number 5:11-CV-2484-SLB

**ROBERT BENTLEY, in his official)
capacity as Governor of the State of)
Alabama; *et al.*,)**

Defendants.)

ORDER

In accordance with the Memorandum Opinion entered contemporaneously herewith, it is hereby **ORDERED** as follows:

1. Plaintiffs' Motion for Preliminary Injunction, (doc. 37), is **GRANTED IN PART**. The Motion is **GRANTED** as to Section 8; the last sentence of Sections 10(e), 11(e), and 13(h); and Section 11(f) and (g) of H.B. 56.

2. Defendants are **ENJOINED** from enforcing Section 8 – which prohibits “[a]n alien who is not lawfully present in the United States” from attending or enrolling in an Alabama “public postsecondary education institution in this state,” and requires any alien attending such an institution to possess either “lawful permanent residence or an appropriate nonimmigrant visa under 8 U.S.C. § 1101, et seq.” – pending final judgment in this case.

3. Defendants are **ENJOINED** from enforcing the last sentence of Sections 10(e), 11(e), and 13(h) of H.B. 56 – “A court of this state shall consider only the federal

government's verification in determining whether an alien is lawfully present in the United States" – pending final judgment in this case.

4. Defendants are **ENJOINED** from enforcing Section 11 (f) and (g) of H.B. 56 – "(f) It is unlawful for an occupant of a motor vehicle that is stopped on a street, roadway, or highway to attempt to hire or hire and pick up passengers for work at a different location if the motor vehicle blocks or impedes the normal movement of traffic," and "(g) It is unlawful for a person to enter a motor vehicle that is stopped on a street, roadway or highway in order to be hired by an occupant of the motor vehicle and to be transported to work at a different location if the motor vehicle blocks or impedes the normal movement of traffic," – pending final judgment in this case.

5. Plaintiffs' Motion for Preliminary Injunction, (doc. 37), is **MOOT** as to their request for an injunction preliminarily enjoining Section 11(a) and Section 13 of H.B. 56. These Section have been enjoined pending final judgment in *United States v. Alabama*, Case No. 2:11-CV-2746-SLB.

6. Plaintiffs' Motion for Preliminary Injunction, (doc. 37), is **DENIED IN PART**. The Motion is **DENIED** as to H.B. 56 in its entirety, and as to Section 10 (except the last sentence of Section 10(e)), and Sections 12, 18-20, 27, 28, and 30 of H.B. 56.

DONE, this 28th day of September, 2011.



SHARON LOVELACE BLACKBURN
United States District Judge