

FILED  
U. S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

OCT 8 1985

MURRAY L. HARRIS, CLERK  
BY DEPUTY JANIE KIRKPATRICK

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
PARIS DIVISION

LUCILLE YOUNG, ET AL.           §  
  §           CIVIL ACTION NO.  
vs.                                   §  
  §           P-80-8-CA  
SAMUEL PIERCE, JR., ET AL.   §

PLAINTIFFS' MOTION FOR INJUNCTIVE RELIEF

Plaintiffs request the Court for an order requiring the HUD Defendants to submit a remedial plan for the constitutional and statutory violations found in this Court's July 31, 1985 opinion.

Plaintiffs have filed a "Memorandum in Support of Injunctive Relief" in support of this Motion.

Respectfully submitted,

JULIAN & DANIEL, P.C.  
8204 Elmbrook, Suite 200  
Dallas, Texas 75247-0972  
(214) 630-9208

By: Michael M. Daniel  
Michael M. Daniel

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon counsel of record, by placing same in the United States Mail, postage prepaid, on this the 2d day of October, 1985.

Michael M. Daniel  
Michael M. Daniel

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PLAINTIFFS' MEMORANDUM IN SUPPORT OF  
MOTION FOR INJUNCTIVE RELIEF

It is a truism of constitutional law that once a violation is shown, the obligation of the Defendant is to submit a plan for the complete remedy of the condition that offends the Constitution. Wise v. Lipscomb, 437 U.S. 535, 541 (1978) - unconstitutional election scheme; Green v. School Board of New Kent County, 391 U.S. 430, 440 (1968) - school board and desegregation plan; Jaimes v. Toledo Metropolitan Housing Authority, 758 F.2d 1086, 1108.

HUD's plan must utilize all reasonably available methods to achieve the greatest possible degree of relief, taking into account the practicalities of the situation. Hills v. Gautreaux, 425 U.S. 284, 298 (1976).

HUD presently has taken no position on whether or not it will even submit a proposed remedial plan. HUD has no plans to gather the information necessary for the site specific elements of a remedial plan. Without a court order requiring the submission of a plan within a reasonable time, no plan will be submitted by HUD.

Respectfully submitted,

JULIAN & DANIEL, P.C.  
8204 Elmbrook, Suite 200  
Dallas, Texas 75247-0972  
(214) 630-9208

By: Michael M. Daniel  
Michael M. Daniel

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon counsel of record, by placing same in the United States Mail, postage prepaid, on this the 21 day of October, 1985.

Michael M. Daniel  
Michael M. Daniel