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DONALD YORK EVANS, BSA
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DISTRICT COURT
DISTRICT OF NEVADA
ENTERED & SERVED
AUG 15 2000

CLERK, U.S. DISTRICT COURT

DAVID C. FATHI, ESQ.
National Prison Project of the
American Civil Liberties Union Foundation
1875 Connecticut Ave., NW, #410
Washington, DC 20009
(202) 234-4830

DISTRICT OF NEV.
RECEIVED

AUG - 4 2000

CLERK, U.S. DISTRICT COURT

Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FILED
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LAUCE S. WILSON
CLERK
BY [Signature]

PRISON LEGAL NEWS,
a Washington State Corporation,
and ROLLIN WRIGHT,

Plaintiffs,

CASE NO. CV-N-00-0373-HDM-RAM

v.

JACKIE CRAWFORD in her official
capacity, JOHN SLANSKY, in his
official and individual capacities,
ROBERT BAYER, in his
official and individual capacities,
DOES I-XXV, Defendant RED
AND WHITE CORPORATIONS
I-X, and BLACK AND BLUE STATE
and/or MUNICIPAL ENTITIES I-X,

Defendants.

ORDER
GRANTING PRELIMINARY
INJUNCTION

1 Plaintiffs are the publishers of the journal Prison Legal News. Defendants are
2 officials of the Nevada Department of Prisons (NDOP). In this lawsuit, Plaintiffs challenge
3 Defendants' *blanket exclusion* of Prison Legal News from NDOP institutions. Defendants
4 base this *blanket exclusion* upon their contention that Prison Legal News is an "inmate
5 publication" prohibited by Administrative Directive (A.D.) 41-95. On or about the 12th day
6 of July, Plaintiffs moved for a preliminary injunction (CR #2). Defendants have consented
7 to the entry of preliminary injunctive relief in their response to Plaintiffs' Motion for
8 Preliminary Injunctive Relief. Further, the Court makes a specific finding that the Plaintiffs
9 have demonstrated probable success on the merits and the possibility of irreparable harm if a
10 preliminary injunction is not granted.
11
12

13 Therefore, it is hereby ordered that Plaintiffs' Motion for a Preliminary Injunction is
14 granted. Pending the final resolution of this action, Defendants Crawford and Slansky, their
15 officers, agents, servants, employees, and attorneys, and all those in active concert or
16 participation with them, are enjoined:
17

18 (a) From maintaining a *blanket exclusion* of Prison Legal News and of
19 correspondence relating to Prison Legal News from NDOP institutions; and

20 (b) From excluding Prison Legal News, or correspondence relating to
21 Prison Legal News from NDOP institutions solely on the ground that Prison Legal News is
22 allegedly an "inmate publication" or "inmate newsletter" prohibited by A.D. 41-95.
23

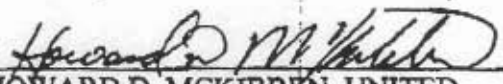
24 Nothing within this order shall be construed to limit the Defendants' rights to
25 properly review and appropriately censor individual issues of Prison Legal News within the
26 guidelines set forth by the United States Supreme Court in Thornburgh v. Abbott, 480 U.S.
27 401, 109 S.Ct. 1874 (1989).
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Security will be waived.

DATED: This 14th day of August, 2000.


HOWARD D. MCKIBBEN, UNITED STATES DISTRICT JUDGE