

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

JAMES H. MEREDITH,

Appellant,

v.

CHARLES DICKSON FAIR, et al.,

Appellees

No. 19475

Application for
Temporary Restraining
Order

Pursuant to the order of the United States Court of Appeals for the Fifth Circuit of September 18, 1962, designating the applicant as amicus in the above action, applicant hereby applies to this Court, pursuant to Rule 65 of the Federal Rules of Civil Procedure for an ex parte order:

1. Enjoining and restraining Joe W. Ford, Sheriff of Lafayette County, Mississippi, and his deputies, agents, and other persons acting in concert with him or pursuant to his authority, from arresting, molesting, or hindering in any way James H. Meredith, plaintiff in the above action, pursuant to warrants issued on September 19 and/or September 20, 1962, for the arrest of James H. Meredith.

2. Enjoining and restraining the defendants to the above action and all other persons acting in concert with them, and all officials of the State of Mississippi from declining to enroll and register James H. Meredith at the University of Mississippi on account of a criminal charge

outstanding against Meredith pursuant to legislation adopted by the Legislature of Mississippi on September 20, 1962, or otherwise.

The foregoing application is based upon information and belief of the applicant as follows:

1. That the Sheriff of Lafayette County, Mississippi, Joe W. Ford, proposes to execute outstanding warrants of arrest against James Meredith when and if Meredith appears to enroll and register at the University of Mississippi at Oxford, Mississippi on September 20, 1962;

2. On September 20, 1962, the Legislature of Mississippi adopted legislation to the effect that persons charged with certain crimes, including perjury with which Meredith is charged, shall be denied admission to Mississippi's institutions of higher learning, including the University of Mississippi.

3. The applicant is informed and believes that the sole purpose of the threatened acts and practices sought to be enjoined is to frustrate and obstruct compliance with the orders of this Court and the Court of Appeals for the Fifth Circuit and to exclude James Meredith from the

University of Mississippi solely on account of his
race and color.

/s/
ROBERT E. HAUBERG
United States Attorney

/s/
J. HAROLD FLANNERY
Attorney, Department of Justice

September 20, 1962

Date

VERIFICATION

I, J. Harold Flannery, have prepared the foregoing application for a temporary restraining order and I affirm that the circumstances and events recited therein are true and correct to the best of my information and belief.

/s/
J. HAROLD FLANNERY

Subscribed and sworn to
before me this 20th day of
September, 1962.

/s/
LORYCE E. WHARTON
Clerk, U. S. District Court