FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
MAY 15 2002
JAMES W. McCORMACK, CLERK
By: DEP CLK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

UNITED STATES OF AMERICA Plaintiff, v. COTTON PLANT SCHOOL DISTRICT, NO. 1, et. al., Defendants.	)	CIVIL ACTION NO. H 70C-10 (HOLLY GROVE SCHOOL DISTRICT)

JOINT MOTION TO APPROVE AGREED ORDER OF DISMISSAL

The parties come before the Court seeking approval of an Agreed Order of Dismissal entered into between the defendant, the School District of Holly Grove, and the plaintiff, the United States, and would respectfully show the Court the following:

1. The United States initiated a case review of this desegregation lawsuit in January 2001 and requested and received extensive data from the District in August 2001 describing its compliance with applicable federal law and the August 24, 1970 Order in the case.

2. As part of its review, the United States evaluated the District's August 2001 data in addition to demographic and census information obtained by the United States.

3. The parties agree that based on the factual record in this case and consistent with the standards set forth by the Supreme Court in *Missouri v. Jenkins,* 515 U.S. 70 (1995); *Freeman v. Pitts,* 503 U. S. 467 (1992); and *Bd. of Educ. of Oklahoma City Pub. Sch. v. Dowell,* 498 U.S. 237 (1991), the District has satisfactorily and in good faith complied with the remedial provisions of the 1970 Order, as well as applicable federal law, and is entitled to a declaration of

unitary status.

WHEREFORE, for the reasons stated above, the parties respectfully request that the Court approve the accompanying proposed Agreed Order of Dismissal.

Respectfully submitted,

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