

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE**

ALEXANDER M. SAY,	:	
	:	Civil Action No. 3:07CV377-R
Plaintiff,	:	
	:	
v.	:	
	:	
JOHN ADAMS, <i>et al.</i>	:	<u>PLAINTIFF’S MOTION FOR</u>
	:	<u>PRELIMINARY INJUNCTION</u>
	:	
Defendants.	:	

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION

Pursuant to F.R.C.P. 65(a), Plaintiff Alexander M. Say respectfully moves this Court for a preliminary injunction enjoining Defendants John Adams *in his official capacity as* Commissioner of Kentucky State Police Headquarters, Col. John Aubrey *in his official capacity as* Jefferson County Sheriff, and Jefferson County Sheriff Department from enforcing the provision of Kentucky’s statute, KRS 237.110(4)(b), which imposes an unconstitutional infringement of Mr. Say’s rights under the Fourteenth Amendment of the United States Constitution.

As more fully discussed in a separately filed Memorandum in Support, Defendant’s enforcement of this provision discriminates unconstitutionally on the basis of alienage in a way not authorized or contemplated by Congress. This motion is made on the grounds that Mr. Say is likely to succeed on the merits, Mr. Say will suffer irreparable injury unless the requested injunction is issued, the requested injunction will not harm others, and the public interest will be served by halting Kentucky’s unlawful discrimination on the basis of alienage. A proposed

Order granting Plaintiff's Motion for Preliminary Injunction is attached hereto for the Court's convenience.

Respectfully submitted,

/s/ Jack B. Harrison

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CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing has been duly served by ordinary U.S.

Mail to the person(s) listed below on this 20th day of July, 2007.

/s/ Jack B. Harrison
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