

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**THE AMERICAN CIVIL LIBERTIES UNION OF
NEW MEXICO; THE LEAGUE OF WOMEN
VOTERS OF ALBUQUERQUE/BERNALILLO
COUNTY, INC.; SAGE COUNCIL; NEW MEXICO
COALITION TO END HOMELESSNESS; ANNE
KASS; ALEXANDRA KAZARAS, and BARBARA
GROTHUS,**

Plaintiffs,

vs.

No. CIV 05-1136 MCA/WDS

**MILLIE U. SANTILLANES,
ALBUQUERQUE CITY CLERK,**

Defendant.

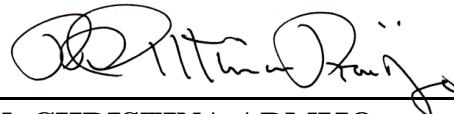
FINAL ORDER

Pursuant to the *Memorandum Opinion and Order* [Doc. 88] filed on February 12, 2007, and the *Memorandum Opinion and Order* entered concurrently herewith, the Court enters this Final Order under FED. R. CIV. P. 58 granting summary judgment in Defendant's favor on the First Amendment claim asserted in Count VI of Plaintiff's *Second Amended Complaint*, granting summary judgment in Plaintiff's favor on the equal-protection claim asserted in Count I of Plaintiff's *Second Amended Complaint*, and awarding the declaratory and injunctive relief set forth below.

IT IS THEREFORE ORDERED that the October 2005 amendment codified in Article XIII, Section 14 of the Albuquerque City Charter is declared to be an unconstitutional infringement of Plaintiffs' rights under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

IT IS FURTHER ORDERED that Defendant, as well as other officers, agents, servants, employees, and attorneys of the City of Albuquerque, and any persons in active concert or participation with Defendant who receive actual notice of this Order by personal service or otherwise, are **PERMANENTLY ENJOINED AND RESTRAINED** from enforcing or implementing the requirements of the October 2005 amendment codified in Article XIII, Section 14 of the Albuquerque City Charter in any future municipal election.

SO ORDERED this 6th day of March, 2007, in Albuquerque, New Mexico.



M. CHRISTINA ARMIJO
United States District Judge