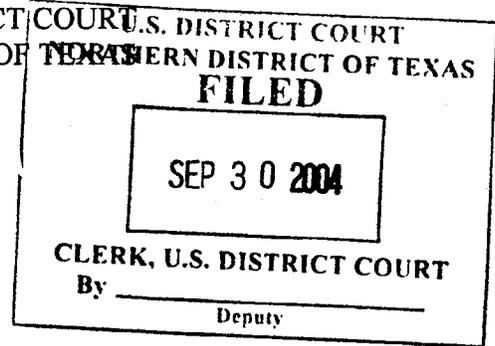


IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS LUBBOCK DIVISION



JASON W. ROBERTS,)
Plaintiff,)
v.)
DONALD R. HARAGAN, Individually and)
as President of Texas Tech University, et al.,)
Defendants.)

Civil Action No. 5:03-CV-140-C

JUDGMENT

The Court having considered the parties' Motions for Summary Judgment in its order of even date,

IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff take nothing on his claims under 42 U.S.C. § 1983 that the University's prior policy was unconstitutionally applied to him, resulting in violations of his rights under the First Amendment to freedom of speech, press, and association, his rights to due process, and equal protection rights, and imposed unconstitutional conditions on him.

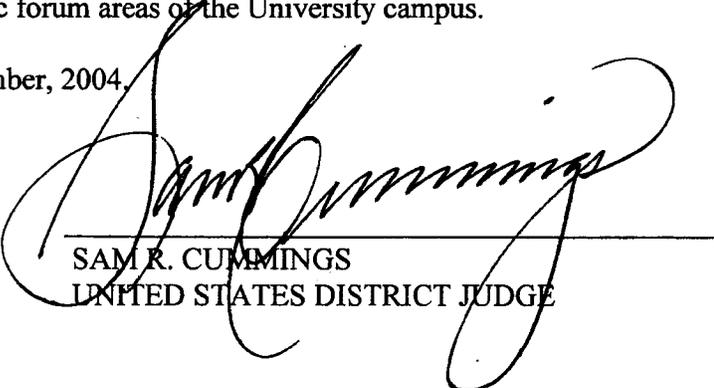
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff take nothing as to his request for declaratory relief in the form of a judgment that the University's interim policy (including the Rules and Regulations of the Board of Regents of the Texas Tech University System and the Operating Policy and Procedure Manual for Texas Tech University) is facially unconstitutional as it is stated in the General Policy (Part VII.A) and the Designated Forum Area section (Part VII.F.1) of the Student Affairs Handbook for 2003-2004.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's facial challenge of the prior policy's constitutionality is **DENIED** as moot.

IT IS DECLARED that the University's interim policy (including the Rules and Regulations of the Board of Regents of the Texas Tech University System and the Operating Policy and Procedure Manual for Texas Tech University) is facially unconstitutional as it is stated in the Prior Permission section (Part VII.F.2), the Speech Code (Part VII.F.3.f), and the Printed Materials section (Part VIII.E.2), of the Student Affairs Handbook for 2003-2004, as they pertain to the public forum areas of the University campus.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants, their agents, officials, servants, employees, and any other persons acting in their behalf, shall CEASE, DESIST, and REFRAIN from acting under, enforcing, or invoking the authority of the University's interim policy (including the Rules and Regulations of the Board of Regents of the Texas Tech University System and the Operating Policy and Procedure Manual for Texas Tech University) as stated in the Prior Permission section (Part VII.F.2), the Speech Code (Part VII.F.3.f), and the Printed Materials section (Part VIII.E.2), of the Student Affairs Handbook for 2003-2004, as they pertain to the public forum areas of the University campus.

Dated this 30th day of September, 2004.



SAM R. CUMMINGS
UNITED STATES DISTRICT JUDGE