

RESTORING GOD'S GLORY
MINISTRIES, INC.

VERSUS

LOUISIANA DEPARTMENT OF
EDUCATION
LOUISIANA DIVISION OF
ADMINISTRATIVE LAW

DOCKET NUMBER C-703525 SEC. 21

19TH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

JUDGMENT ON PRELIMINARY INJUNCTION

Present: J. Arthur Smith, III and Mildred E. Methvin for Plaintiff; Troy Humphrey for Louisiana Department of Education; and Lindsey Hunter for Louisiana Division of Administrative Law.

Considering the law and the evidence and for the reasons assigned in the Court's Ruling of March 30, 2021.

IT IS ORDERED, ADJUDGED AND DECREED as follows:

Defendant, Louisiana Department of Education's Peremptory exception of no cause of action is **OVERRULED**.

Defendant, Louisiana Department of Education's Peremptory exception of no right of action is **OVERRULED**.

Defendant, Louisiana Division of Administrative Law's Peremptory exception of no cause of action is **OVERRULED**.

Plaintiff's request for a Declaratory Judgment declaring that to proceed with the January 13, 2021 hearing before Administrative Law Judge Tyrell "Ty" Manieri would violate the Ministry's right to procedural due process under La. Const. Art. I, § 2 is **DENIED**.

Plaintiff's request for a Declaratory Judgment declaring that to proceed with the January 13, 2021 hearing without the Ministry being afforded an opportunity to subpoena witnesses to testify on its behalf would violate the Ministry's right to procedural due process under La. Const. Art. I, § 2 is **GRANTED**.

Plaintiff's request for a Declaratory Judgment declaring that to proceed with the January 13, 2021 hearing without affording the Ministry sufficient time to prepare for the hearing would violate the Ministry's right to procedural due process under La. Const. Art. I, § 2 is **DENIED**.

Plaintiff's request for a Declaratory Judgment declaring that the LDOE's actions herein violate the principles of separation of powers embodied in the La. Const. Art. II, § 2 and Art. V, § 16(A) is **GRANTED**.

Plaintiff's request for a Declaratory Judgment declaring that the LDOE's actions herein violate the Ministry's right to free exercise of religion under the First Amendment to the United States Constitution and the RFRA is **DENIED**.

Plaintiff's request for injunctive relief ordering that the January 13, 2021, Division of Administrative Law hearing be conducted before a neutral adjudicator and that the Ministry be permitted to subpoena witnesses for the hearing is **DENIED**.

Plaintiff's request for injunctive relief enjoining the January 13, 2021, Division of Administrative Law hearing from being conducted until such time as it can be guaranteed to comply with the requirements of this Court's orders and the Constitution of Louisiana is **GRANTED**.

Plaintiff's request for injunctive relief enjoining the Louisiana Department of Education from seeking to collect \$116,528.78 from the Ministry is **GRANTED** having found that the Louisiana Department of Education has not established standards to terminate sponsors and to seek to collect reimbursement.

Based on these preliminary showings, the Court finds that there is a reasonable likelihood that Plaintiff will prevail on the merits of this case as to the requests for injunctive relief which the Court has **GRANTED**.

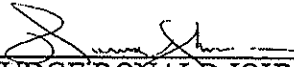
Accordingly, **IT IS ORDERED, ADJUDGED AND DECREED** that the Louisiana Division of Administrative Law is preliminarily enjoined from setting deadlines/scheduling orders and from conducting a hearing on Petitioner Restoring God's Glory Ministries, Inc.'s administrative appeal, pending further order of the Court;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any proceedings before the Louisiana Division of Administrative Law concerning Petitioner, and any collection efforts and/or debarment efforts by the Louisiana Department of Education against Petitioner, Restoring God's Glory Ministries, Inc., are preliminarily enjoined, pending further order of this Court;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED this preliminary injunction shall become effective immediately upon the furnishing of security by Petitioner in

the amount of \$1,500.00 and shall expire at such time as this Court renders a final judgment on the merits and/or issues a permanent injunction herein.

THUS DONE AND SIGNED this 01 day of ~~April~~ **June**, 2021



HON. JUDGE RONALD JOHNSON
19TH JUDICIAL DISTRICT COURT

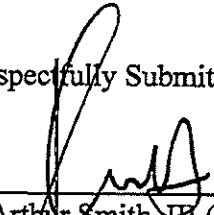
I HEREBY CERTIFY THAT ON THIS DAY A COPY OF THE WRITTEN REASONS FOR JUDGMENT / JUDGMENT / ORDER / COMMISSIONER'S RECOMMENDATION WAS MAILED BY ME WITH SUFFICIENT POSTAGE AFFIXED. SEE ATTACHED LETTER FOR LIST OF RECIPIENTS.

DONE AND MAILED ON June 03, 2021



DEPUTY CLERK OF COURT

Respectfully Submitted:



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was forwarded to all counsel of record
via Electronic Mail, Facsimile and/or U.S. Mail as follows:

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Baton Rouge, Louisiana this 15 day of ^{April} ~~January~~, 2021.



J. Arthur Smith, III