CLERKS OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED
12/21/2018
JULIA C. DUDLEY, CLERK
BY: /s/ J. JONES
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**
CHARLOTTESVILLE DIVISION

DAMIAN STINNIE, *ET AL*,

Plaintiffs,

v.

RICHARD D. HOLCOMB, IN HIS OFFICIAL
CAPACITY AS THE COMMISSIONER OF THE
VIRGINIA DEPARTMENT OF MOTOR VEHICLES,

Defendant.

CASE NO. 3:16-CV-00044

PRELIMINARY INJUNCTION

JUDGE NORMAN K. MOON

In accordance with the accompanying memorandum opinion, Plaintiffs' Motion for Preliminary Injunction, (dkt. 88), is **GRANTED**.[1] As used in this preliminary injunction, the term "Plaintiffs" means Damian Stinnie, Melissa Adams, Adrainne Johnson, Williest Bandy, and Brianna Morgan. Defendant, Richard D. Holcomb, the Commissioner of the Virginia Department of Motor Vehicles ("Commissioner") is hereby **ORDERED** as follows:

(1) The Commissioner is preliminarily enjoined from enforcing Virginia Code § 46.2-395 against Plaintiffs unless or until the Commissioner or another entity provides a hearing regarding license suspension and provides adequate notice thereof;

(2) The Commissioner shall remove any current suspensions of the Plaintiffs' driver's licenses imposed under Va. Code § 46.2-395; and

(3) The Commissioner is enjoined from charging a fee to reinstate Plaintiffs' driver's licenses if there are no other restrictions on their licenses.

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[1] At this time the Court has made no determination as to Plaintiffs' Motion to Certify Class. (Dkt. 85). Until the Court determines "that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole," Fed. R. Civ. P. 23(b)(2), this Order applies only to named Plaintiffs: Damian Stinnie, Melissa Adams, Adrainne Johnson, Williest Bandy, and Brianna Morgan.

It is so **ORDERED**.

The Clerk of Court is hereby directed to send a certified copy of this Order to all counsel of record.

Entered this __21st__ day of December, 2018.

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NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE