

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 21-cv-60168-ALTMAN/Hunt

MARK MESSINA, *et al.*,

Plaintiffs,

v.

CITY OF FORT LAUDERDALE, FLORIDA

a Florida municipal corporation,

Defendant.

ORDER

On June 23, 2021, we preliminarily enjoined the City of Fort Lauderdale from enforcing two sections of its City Code: § 16-82 (the “Panhandling Ordinance”) and § 25-267 (the “Right-of-Way Ordinance”). *See* [ECF No. 56] (the “Preliminary Injunction Order”). On September 16, 2022, the City notified the Court that it had repealed the Panhandling Ordinance and amended the Right-of-Way Ordinance. *See* Defendant City’s Notice of Filing [ECF No. 100]. And, on September 22, 2022, the City filed a Motion to Partially Dissolve the Preliminary Injunction as to Code §§ 16-82 & 25-267. *See* [ECF No. 103] (the “Motion”).

We denied the Motion without prejudice and permitted the City to re-file it after trial. *See* [ECF No. 110]. During the trial, though, the City made an unopposed *ore tenus* motion to dissolve the Panhandling Ordinance, which, neither party disputes, was unconstitutional but is no longer in effect. *See* Trial Minutes Entry [ECF No. 111]. Accordingly, we **ORDER** and **ADJUDGE** that the Preliminary Injunction Order, [ECF No. 56], is hereby **DISSOLVED** as to § 16-82 of the City Code *only*.

DONE AND ORDERED in the Southern District of Florida, this 13th day of October
2022.

A handwritten signature in black ink, appearing to be 'Roy K. Altman', written over a horizontal line.

ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record