

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

SHERRI WILLIAMS; B.J. BAILEY; *et al.*,)

Plaintiffs,)

vs.)

Civil Action No. CV-98-S-1938-NE

**BILL PRYOR, in his official capacity as)
the Attorney General of the State of)
Alabama,)**

Defendant.)

FINAL JUDGMENT

In accordance with the memorandum opinion entered contemporaneously herewith, plaintiffs' motion for summary judgment (doc. no. 76) is granted, defendant's motion for summary judgment (doc. no. 77) is denied, and that portion of Alabama Code § 13A-12-200.2(a)(1) (1975) (Supp. 2001) which makes it "unlawful for any person to knowingly distribute, possess with intent to distribute, or offer or agree to distribute . . . any device designed or marketed as useful primarily for the stimulation of human genital organs for any thing of pecuniary value" (hereinafter, "the subject statutory provision") is declared unconstitutional.

Accordingly, it is ORDERED, ADJUDGED, and DECREED that defendant, the Attorney General of the State of Alabama, and any agents, attorneys, investigators, or law enforcement officials acting under his direction, supervision, or control, together with any other law enforcement officers or officials within the State of Alabama acting in concert with defendant, directly or indirectly, or who acquire knowledge of this judgment, be, and they hereby are, enjoined and restrained from enforcing the subject statutory provision.

Costs are taxed to defendant. The Clerk is directed to close this file.

DONE this 10th day of October, 2002.

/s/
United States District Judge