

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

THE COSAC FOUNDATION, INC.,
d/b/a The Homeless Voice,

Plaintiff,

Case No. 3:24-cv-213-TJC-JBT

v.

CITY OF JACKSONVILLE,
FLORIDA, a Florida municipal
corporation,

Defendant.

ORDER

This clash between First Amendment rights and public safety concerns raises substantial questions of law and fact. On May 17, 2024, the Court held a hearing on Plaintiff's Motion for Preliminary Injunction, Doc. 2, at which able counsel debated the issue. On this limited record, the Court is not able to say Plaintiff is likely to succeed on the merits. Also, the City's representation that the challenged ordinances will not be enforced against those messaging or soliciting on public sidewalks pretermits the need to adjudicate that issue now.

Accordingly, it is hereby

ORDERED:

1. Plaintiff's Motion for Preliminary Injunction, Doc. 2, is **DENIED**.

The Court emphasizes that this ruling does not predict how the Court will ultimately rule on the merits of Plaintiff's claims.

2. Despite Plaintiff's demand for a jury trial, it may well be that the constitutional issues to be decided are for the Court. No later than **June 7, 2024**, the parties must file a joint notice advising the Court of the appropriate next step for the case, as discussed at the May 17, 2024, hearing.

DONE AND ORDERED in Jacksonville, Florida, the 21st day of May, 2024.



Timothy J. Corrigan
TIMOTHY J. CORRIGAN
United States District Judge

vng

Copies to:

Counsel of record