

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 07-3531

PEDRO LOZANO; HUMBERTO HERNANDEZ; ROSA LECHUGA; JOHN DOE 1;
JOHN DOE 2; JOHN DOE 3, a Minor, by His parents; JANE DOE 1; JANE DOE 2;
JANE DOE 3; JOHN DOE 4, a Minor by His parents, BRENDA LEE MIELES; CASA
DOMINICANA OF HAZLETON, INC.; HAZLETON HISPANIC BUSINESS
ASSOCIATION; PENNSYLVANIA STATEWIDE LATINO COALITION; JANE DOE
5; JOHN DOE 7; JOSE LUIS LECHUGA

v.

CITY OF HAZLETON,

Appellant

Appeal from the United States District Court
for the Middle District of Pennsylvania
(No. 3:06-cv-01586)
District Judge: Honorable James M. Munley

Argued October 30, 2008

Before: McKEE, *Chief Judge*, and NYGAARD and SILER*, *Circuit Judges*

JUDGMENT

This cause came to be heard on the record from the Middle District of
Pennsylvania and was argued on October 30, 2008.

* Honorable Eugene E. Siler, Jr., Senior Judge of the United States Court of Appeals for
the Sixth Circuit, sitting by designation.

On consideration whereof, it is hereby ORDERED AND ADJUDGED by this Court that the order of the district court dated July 26, 2007 is AFFIRMED IN PART AND REVERSED IN PART.

EACH PARTY TO BEAR ITS OWN COSTS.

ATTEST:

/s/Marcia M. Waldron
Clerk

DATED: September 9, 2010

OFFICE OF THE CLERK

MARCIA M. WALDRON

CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

September 9, 2010

Andrew B. Adair, Esq.
Deasey, Mahoney, Valentini & North
103 Chesley Drive
Suite 101
Media, PA. 19063-0000

Diana S. Andsager, Esq.
Mayer Brown
71 South Wacker Drive
Chicago, IL. 60603-0000

Jennifer Chang, Esq.
American Civil Liberties Union Foundation
39 Drumm Street
San Francisco, CA. 94111-0000

Jackson Chin, Esq.
Puerto Rican Legal Defense & Education Fund
99 Hudson Street
14th Floor
New York, NY. 10013-0000

Robin S. Conrad, Esq.
National Chambers Litigation Center
1615 H Street, N.W.
Washington, DC. 20062-0000

Shamaine A. Daniels, Esq.

Community Justice Project
118 Locust Street
Harrisburg, PA. 17101-0000

Thomas B. Fiddler, Esq.
White & Williams
1650 Market Street
One Liberty Place, Suite 1800
Philadelphia, PA. 19103

Elizabeth S. Gallaway, Esq.
Mountain States Legal Foundation
2596 South Lewis Way
Lakewood, CO. 80227-0000

Lee P. Gelernt, Esq.
American Civil Liberties Union Immigrants' Rights Project
125 Broad Street
18th Floor
New York, NY. 10004

Lucas Guttentag, Esq.
American Civil Liberties Union Foundation
39 Drumm Street
San Francisco, CA. 94111-0000

Michael Hethmon, Esq.
Immigration Reform Law Institute
25 Massachusetts Avenue, N.W.
Suite 330B
Washington, DC. 20001

Omar C. Jadwat, Esq.
American Civil Liberties Union Immigrants' Rights Project
125 Broad Street
18th Floor
New York, NY. 10004

Kris W. Kobach, Esq.
University of Missouri-Kansas City School of Law
5100 Rockhill Road Law 1-200
Kansas City, MO. 64110

Foster Maer, Esq.
Puerto Rican Legal Defense & Education Fund
99 Hudson Street
14th Floor
New York, NY. 10013-0000

Harry G. Mahoney, Esq.
Deasey, Mahoney, Valentini & North
1601 Market Street
Suite 3400
Philadelphia, PA. 19103-0000

Carla P. Maresca, Esq.
Deasey, Mahoney, Valentini & North
1601 Market Street
Suite 3400
Philadelphia, PA. 19103-0000

Mark D. McPherson, Esq.
Morrison & Foerster
1290 Avenue of the Americas
New York, NY. 10104-0000

Paul J. Orfanedes, Esq.
Judicial Watch, Inc.
501 School Street, S.W.
Washington, DC. 20024-0000

Elena Park, Esq.
Cozen & O'Connor
200 Four Falls Corporate Center
P.O. Box 800,
Suite 400
West Conshohocken, PA .19428-0800

James F. Peterson, Esq.
Judicial Watch, Inc.
501 School Street, S.W.
Washington, DC. 20024-0000

Kenneth J. Pfaehler, Esq.
Sonnenschein, Nath & Rosenthal
1301 K Street, N.W.
Suite 600, East Tower
Washington, DC. 20005-0000

Carter G. Phillips, Esq.
Sidley Austin
1501 K Street, N.W.
Washington, DC. 20005

Jacob S. Pultman, Esq.
Allen & Overy
1221 Avenue of the Americas
New York, NY. 10020-0000

Ilan Rosenberg, Esq.
Cozen & O'Connor
1900 Market Street
3rd Floor
Philadelphia, PA. 19103-0000

Burt M. Rublin, Esq.
Ballard Spahr
1735 Market Street
51st Floor
Philadelphia, PA. 19103

Richard A. Samp, Esq.
Washington Legal Foundation
2009 Massachusetts Avenue, N.W.
Washington, DC. 20036-0000

Andrew L. Schlafly, Esq.
17th Floor
521 Fifth Avenue
New York, NY. 10175-0000

Ghita Schwarz, Esq.
Puerto Rican Legal Defense & Education Fund
99 Hudson Street
14th Floor
New York, NY. 10013-0000

Eric A. Shumsky, Esq.
Sidley Austin
1501 K Street, N.W.
Washington, DC. 20005

Witold J. Walczak, Esq.
American Civil Liberties Union
313 Atwood Street
Pittsburgh, PA. 15213-0000

Charles D. Weisselberg, Esq.
Berkley Law School
688 Simon Hall
Berkley, CA. 94720

John M. West, Esq.
Bredhoff & Kaiser
805 Fifteenth Street, N.W.
Suite 1000
Washington, DC 20005-0000

Thomas G. Wilkinson Jr., Esq.
Cozen & O'Connor
1900 Market Street
3rd Floor
Philadelphia, PA 19103-0000

Nancy Winkelman, Esq.
Schnader Harrison Segal & Lewis
1600 Market Street
Suite 3600
Philadelphia, PA 19103

RE: Pedro Lozano v. City of Hazleton
Case Number: 07-3531
District Case Number: 06-cv-01586

ENTRY OF JUDGMENT

Today, **September 09, 2010** the Court entered its judgment in the above-captioned matter pursuant to Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Page Limits:

15 pages

Attachments:

A copy of the panel's opinion and judgment only. No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. If separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to a combined 15 page limit. If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

A party who is entitled to costs pursuant to Fed.R.App.P. 39 must file an itemized and verified bill of costs within 14 days from the entry of judgment. The bill of costs must be submitted on the proper form which is available on the court's website.

A mandate will be issued at the appropriate time in accordance with the Fed.R.App.P. 41. Please consult the Rules of the Supreme Court of the United States regarding the timing and

requirements for filing a petition for writ of certiorari.

Very truly yours,

Marcia M. Waldron

Marcia M. Waldron, Clerk

By: *Phyllis A. Ruffin*

Phyllis A. Ruffin, Case Manager

267-299-4918