

# CENTRAL ILLINOIS

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Decatur, Illinois

Herald &amp; Review

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## Federal judge refuses Jackson's request

**Restraining order sought**  
by board against reverend and return to Macon Co. court.

By TOM COLLIN  
H&R Staff Writer

URBANA — The case to keep the Rev. Jesse Jackson off Decatur school property is headed back to Decatur, now that a federal judge has refused Jackson's request to hear the case.

U.S. District Judge James McCuskey ruled Friday that the school board's action against Jackson and other shapers behind him in the federal court.

"Federal courts are courts of limited jurisdiction (and have a duty) to police the limits of federal jurisdiction with meticulous care," McCuskey wrote.

"In keeping with this duty," he said, "the court has reviewed the jurisdictional issues presented by Jackson and others and find that (the federal court) lacks jurisdiction over this case."

"We're pleased it," said Evans Nichols, a Decatur attorney representing the school board.

A spokesman for the Rainbow/PUSH Coalition, of which Jackson is founder, did not return a phone call seeking comment from the civil rights leader.

Jackson organized several

protests, vigils and demonstrations in mid-November, culminating with his arrest for felony mob action on Nov. 17 outside Eisenhower High School.

Jackson left Decatur two days

later after enrolling the students in alternative schools — even as lawyers for Rainbow/PUSH seek a temporary restraining order in regular school — and has not returned to the city since.

The school board cited those demands in its Nov. 17 motion for a temporary restraining order, seeking to keep Jackson, seven students implicated in a Sept. 17 fight, and several busloads of PUSH supporters at least 50 feet away from school district property.

The school said the demonstrators interfered with the educational process.

Jackson and company could have argued against the restraining order when he was arrested, but he did not do so, Nichols said.

Nichols said Circuit Judge James Hendrian would preside over the new hearing.

Jerry L. Patton on Nov. 23. Instead, Jackson's lawyers filed a federal restraining action on Nov. 24 in Urbana, asking McCuskey to hear the case in U.S. District Court.

Lawyers argued that the restraining order would trample the First Amendment rights of Jackson and others, making a federal issue.

McCuskey disagreed and said Friday that Jackson and company had failed to show a compelling reason for the federal court to supersede the state's jurisdiction.

No new hearing date has been set in Macon County Circuit Court.

Nichols said Circuit Judge James Hendrian would preside over the new hearing.



**ONGOING BATTLE:** The Rev. Jesse Jackson stands in a sea of reporters and supporters outside Eisenhower High School prior to his arrest Nov. 17. The expulsion issue has since moved to the courtroom.

### COMMUNITY SERVICE



Herald & Review/Kathy J. Huff

**COMMUNITY SPIRIT:** Sullivan High School senior Sara Marshall has learned the true meaning of community service. As part of her

## Sullivan teen leaving an impression

High school students learn benefits of contributing to the community.

By DEBBIE PIERCE  
H&R Community Chief

**HILL SULLIVAN** — Four years ago, Sara Marshall signed up for service projects at Sullivan High School to "get out of class."

"Today, as a senior, I think I have been a part of every type of service there is all about. And she likes what she sees."

"A lot of times, older people assume

"They're grabbing rakes and blowers and my leaves," Light said. "They worked during their class breaks and really attacked those



**ONEVOICE**

*If you know of someone who is making a difference in Central Illinois, please call Jan Touney at 421-9793.*

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