CAUSE NO. DC-20-06131

CITY OF DALLAS	§	**IN THE DISTRICT COURT**
Plaintiff	§	
vs.	§	**14th JUDICIAL DISTRICT**
S & B HOT MESS ENTERPRISES, d/b/a SALON DU MONDE, SHELLEY LUTHER	§	
Defendants	§	**DALLAS COUNTY, TEXAS**

JUDGMENT OF CONTEMPT
and ORDER OF CONFINEMENT

On the 5th day of May, 2020 came on for hearing the Motion of Plaintiff to have Defendants S & B Hot Mess Enterprises and Shelley Luther, an Individual, to be held in Contempt of this Court for violation of the Temporary Restraining Order which was entered by this Court on April 28, 2020 (hereinafter referred as the :Order").

This Court, having reviewed the Motion, entered an Order to Show Cause requiring Defendants to appear in provide evidence as to why they should not be held in contempt of this Court. The Defendants appeared in person, and by Counsel, and evidence was taken.

The Court thereafter made the following findings:

On April 28, 2020, this Court entered a Temporary Restraining Order. Defendants were served with said Order that same day.

The Order specified that the Defendants were ordered to cease operation of their business "Salon a La Mode" (hereinafter referred to as the "Salon").

The Order further enjoined and restrained the Defendants from continuing the operation of their business the Salon.

The Defendant S & B Hot Mess Enterprises, L.L.C. is a Limited Liability Corporation wholly owned by Defendant Shelley Luther. Each of the acts described herein of the limited liability corporate defendant were undertaken by the individual Defendant.

On April 29, 2020, Defendants, despite having been served with the Order, refused to cease operations of the Salon. The evidence adduced at the hearing without contradiction established that the Defendants continued the operation of the Salon for seven days after the entry of the Order and so continued up until the date of this hearing.

Several customers of the Salon were present each day, receiving the services of the Salon. The evidence indicated that employees of the Salon performed services on said clients which by necessity included working in direct contact with said customers, ignoring the County and City requirements (and the Center for Disease Control - recommended guidelines) that individuals respect a six-foot "social distancing" zone in which other individuals would not enter.

The refusal of the Defendants to cease operation of the Salon, despite the clear and unambiguous language of the Order which instructed them to so do constitutes Criminal Contempt of this Court. The defiance of the Court's Order was open, flagrant and intentional. The Defendants, although having been given an opportunity to do so, have expressed no contrition, remorse or regret for their contemptuous action.

The continued operation by the Defendants of the Salon, despite the clear and unambiguous language of the Order which prohibited Defendants from so doing constitutes Civil contempt of this Court. The Defendants, although having been given an opportunity to do so, have expressed no contrition, remorse or regret for their

contemptuous action. Indeed, they have refused to accept the opportunity to represent to the Court that they would cease their willful violation of the Court's Order.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that Defendant Shelley Luther, having been found in Criminal Contempt of this Court is hereby remanded to the custody of the Sheriff of Dallas County as punishment for her violation of the Court's Order. Defendant Luther shall be confined in a penal facility of the choosing of the Sheriff, where she shall remain for a period of seven days.

It is further ORDERED that Defendant Shelley Luther, having been found in Civil Contempt of this Court is hereby be remanded to the custody of the Sheriff of Dallas County for her continued failure to comply with the Order of this Court. Defendant Luther shall be confined in a penal facility of the choosing of the Sheriff, where she shall remain for a period of seven days.

It is further ORDERED that the penalties for Defendants' both Civil Contempt and Criminal Contempt shall run concurrently.

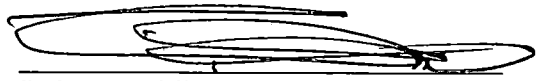
It is further ORDERED Defendant S&B Hot Mess Enterprises, LLC, having been found in Criminal Contempt of this Court is hereby Ordered to pay a fine of $500.00 for each of the seven days during which they willfully violated the Order of this Court within thirty days of the date of this Order.

It is further ORDERED Defendant S&B Hot Mess Enterprises, LLC, having been found in Civil Contempt of this Court is hereby Ordered to pay a fine of $500.00 per day for each day from this day forward during which the Salon remains in operation from the date of the Temporary Restraining Order until May 7, 2020.

It is further ORDERED that at any time the Defendants should wish to purge themselves of their Contempt, they may petition this Court for release from confinement. Should the Defendants aver under Oath that they shall immediately cease and desist the continued operation of the Salon, publically express contrition, publicly express[1] contrition for the violation of the Order of this Court and the Orders and mandates of the State of Texas, of Dallas County and of the City of Dallas, and take all steps necessary to comply with the Temporary Restraining Order of this Court, they may seek release.

It is so Ordered.

Signed May 5, 2020.



Judge Presiding

[1] In a manner commensurate with the previous expressions of defiance of the mandate of Dallas County.