

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-10322
Summary Calendar

MD II ENTERTAINMENT, INC.,
d/b/a THE FARE WEST, et al.,

Plaintiffs-Appellees,

VERSUS

CITY OF DALLAS,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas

(3:94-CV 1422 T)

April 30, 1996

Before WIENER, PARKER, and DENNIS, Circuit Judges.

PER CURIAM¹:

We have reviewed the record and the thorough order of the district court. We agree that "no evidence indicates that a requirement that dancers wear bikini tops instead of pasties will reduce deleterious secondary effects." Dist. Ct. Order at 8 (citation omitted). Therefore, the order of the district court granting plaintiffs' motions for summary judgment, denying defendant's motion for summary judgment, and declaring the amendments to the Dallas ordinance unconstitutional is AFFIRMED.

¹Pursuant to Local Rule 47.5, the court has determined that this opinion should be unpublished.