IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

APOLLOS PROPERTIES, LLC, *et al.,* Plaintiffs, v. LELAND TOWNSHIP, MICHIGAN, *et al.,* Defendants.	Judge Paul L. Maloney No. 26-cv-2307

[PROPOSED]
ORDER GRANTING PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION

This matter is before the Court on Plaintiffs' Motion for Preliminary Injunction. The Court has reviewed the Motion, Plaintiffs' Memorandum in Support, the declarations and exhibits submitted by the parties, the Verified Complaint, and the record in this matter. The Court has also considered the arguments of counsel.

For the reasons stated below, Plaintiffs' Motion is **GRANTED**.

I. FINDINGS

The Court finds as follows:

1. Plaintiff Apollos Properties, LLC owns private property located on North Lake Street in Leland Township, Michigan (the "North Lake Street Property").
2. Apollos Properties made the North Lake Street Property available to Youth for Christ Club so that high school students and others participating in Youth for Christ's ministry could assemble for prayer, Bible study, Christian fellowship, religious teaching, speech, assembly, and worship.

3. Leland Township has denied Plaintiffs, Youth for Christ Club, and others the right to assemble at the North Lake Street Property for religious speech and religious exercise such as prayer, Bible study, and fellowship. Leland Township demanded that Plaintiffs obtain the Township's permission, pay a fee, apply for a Special Use Permit, and the Township grants such a permit before assembling at the North Lake Street property.
4. The Township prohibited Plaintiffs and others from assembling at the North Lake Street property since October 2025.
5. Plaintiffs applied for a Special Use Permit. After numerous public hearings extending over more than six months, the Leland Township Planning Commission twice voted to deny Plaintiffs' application.
6. The basis for the Planning Commission's denial of Plaintiffs' permit to assemble at the North Lake Street property was that the Plaintiffs and those assembling at the North Lake Street property were engaged in religious exercise and speech, not commercial or secular business.
7. The Township's position remains that Youth for Christ Club may not meet at the North Lake Street Property for prayer, Bible study, Christian fellowship, religious teaching, worship, and related religious exercise without authorization from the Township.
8. Violation of the Township's prohibition against Plaintiffs and others assembling at the North Lake Street property subjects Plaintiffs and those persons assembling in violation of the Township's zoning requirements to the possibility of enforcement and penalties including financial penalties and incarceration.
9. Furthermore, under the explicit terms of Leland Township's Zoning Ordinance and Master Plan, "Churches and Religious Institutions" are absolutely prohibited in Leland Township

zoning districts, including the zoning district where Plaintiffs and Youth for Christ Club were assembling, for prayer and Bible study.

10. Leland Township's prohibition against Plaintiffs assembling at the North Lake Street property is based upon the nature of the speech and the religious activity Plaintiffs and their invitees were engaging in at the private property on North Lake Street.

II. LIKELIHOOD OF SUCCESS ON THE MERITS

A. First Amendment

11. Plaintiffs have demonstrated a substantial likelihood of success on the merits of their claims under the First and Fourteenth Amendments to the United States Constitution.

12. Prayer, Bible study, religious teaching, worship, Christian fellowship, and assembly for the purpose of exercising and communicating religious beliefs are activity protected by the First Amendment.

13. Plaintiffs have demonstrated a substantial likelihood of establishing that Leland Township's Zoning Ordinance, as written and as applied to the Plaintiffs, conditions Plaintiffs' exercise of protected religious speech, assembly, association, and religious exercise upon prior approval by Leland Township.

14. Plaintiffs have further demonstrated a substantial likelihood of establishing that Leland Township's treatment of their assembly turns upon the religious character of the activity occurring at the North Lake Street property. As such, Leland Township's Zoning Ordinance and enforcement of this ordinance treats religious assembly differently from secular uses and assemblies permitted by the Township.

15. Government may not prohibit or burden speech or religious exercise without showing a compelling government interest for prohibiting the assembly and demonstrating that the prohibition is the least restrictive, neutral, and generally applicable means to achieve a

compelling government interest. Leland Township has not, and cannot, make such a showing.

16. The record demonstrates that Leland Township has not shown any reason why the Township's prohibition against persons assembling at the North Lake Street property for prayer, Bible study, Christian fellowship, religious teaching, worship, and related activity is narrowly tailored to achieve a compelling government interest that is neutral and generally applicable.

17. Plaintiffs have therefore established a substantial likelihood of success on their claims that the Township's prohibition against religious assembly, both facially and as applied to Plaintiffs, violates the First Amendment freedoms of speech, assembly, association, and the free exercise of religion.

B. RLUIPA

18. Plaintiffs have independently, and additionally, demonstrated a substantial likelihood of success on the merits of their claims under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), 42 U.S.C. §§ 2000cc–2000cc-5.

19. Leland Township is a "government" and the challenged zoning provisions are "land use regulation" within the meaning of RLUIPA.

20. Persons assembling at the North Lake Street property for prayer, Bible study, religious teaching, worship, Christian fellowship, and other activities undertaken as part of Youth for Christ's ministry constitute "religious exercise" within the meaning of RLUIPA.

21. Plaintiffs demonstrate a substantial likelihood of establishing a violation of RLUIPA's Equal Terms provision, 42 U.S.C. § 2000cc(b)(1), because the Township's zoning scheme treats a religious assembly on less than equal terms as secular and nonreligious assemblies or institutions are treated.

22. Plaintiffs demonstrated a substantial likelihood they have established a violation of RLUIPA's Substantial Burden provision, 42 U.S.C. § 2000cc(a)(1), because the Township prohibits Plaintiffs from assembling at the North Lake Street Property for religious exercise.

23. Plaintiffs also demonstrate that Leland Township has twice denied Plaintiffs' application for a permit to assemble at the privately-owned North Lake Street property.

24. Leland Township has not demonstrated that imposing this substantial burden on Plaintiffs' assembly to engage in religious exercise, speech and other First Amendment rights is the least restrictive means of furthering a compelling governmental interest.

25. Plaintiffs have further demonstrated a substantial likelihood of establishing a violation of RLUIPA's Nondiscrimination provision, 42 U.S.C. § 2000cc(b)(2), because Leland Township's denial of Plaintiffs' right to assemble at the North Lake Street property is based upon the religious nature of the speech and activity of those assembling at the property.

26. Leland Township's violation of each of these three RLUIPA elements warrants this Court enjoining Leland Township from continuing to violate First Amendment protection of the right to speak, assemble and engage in the exercise of one's religious faith and convictions.

III. REMAINING PRELIMINARY-INJUNCTION FACTORS

27. Plaintiffs have established irreparable injury. The denial of First Amendment freedoms, even for minimal periods of time, constitutes irreparable harm.

28. The injury to Plaintiffs' constitutional rights is continuing and ongoing. Unless preliminary relief is granted, Plaintiffs must either continue refraining from protected religious speech, assembly, and exercise at the North Lake Street Property or engage in that activity while facing the possibility of Township enforcement.

29. The balance of equities favors Plaintiffs. The Township has no legally cognizable interest in enforcing a law or restriction that violates the First Amendment and RLUIPA.

30. The public interest favors this Court issuing a preliminary injunction to protect the constitutional rights and ensure compliance with federal civil rights statutes including RLUIPA. Thus, enjoining Leland Township from a continuing violation of Plaintiffs' constitutional right serves the public interest.

31. Plaintiffs satisfy the requirements for this Court to enter preliminary injunctive relief.

IV. PRELIMINARY INJUNCTION

Accordingly, **IT IS ORDERED** that Plaintiffs' Motion for Preliminary Injunction is **GRANTED**.

IT IS FURTHER ORDERED that, during the pendency of this action and until further order of this Court:

1. Leland Township, Michigan, together with its officers, agents, employees, attorneys, Zoning Administrator, Planning Commission, Zoning Board of Appeals, and all other persons who are in active concert or participation with Leland Township (the "Defendants") and those who receive actual notice of this Order, are **PRELIMINARILY ENJOINED** pursuant to Federal Rule of Civil Procedure 65 from enforcing or threatening to enforce the Leland Township Zoning Ordinance, Master Plan or any related ordinance, regulation, determination, permit requirement, or penalty so as to prohibit or deny Plaintiffs, Youth for Christ Club, or any person seeking to participate in Youth for Christ Club activities from assembling at the North Lake Street Property for prayer, Bible study, Christian fellowship, religious teaching, worship, speech, association, or other religious exercise.

2. Defendants are **PRELIMINARILY ENJOINED** from requiring Plaintiffs or Youth for Christ Club obtain a Special Use Permit or any other approval from Leland Township as a condition precedent to engaging in those activities identified in the preceding paragraph at the North Lake Street Property during the pendency of this injunction.
3. Defendants are **PRELIMINARILY ENJOINED** from issuing or threatening citations, civil fines, criminal penalties, imprisonment, zoning-enforcement proceedings, cease-and-desist directives, or other sanctions against Plaintiffs, Youth for Christ Club, their ministers, participants, invitees, or persons acting in concert with them because such persons assemble at the North Lake Street Property for the activities identified in paragraph one above.
4. Nothing in this Order prevents Leland Township from enforcing otherwise lawful, neutral, and generally applicable regulations protecting public health, safety, building, fire, parking, or similar regulations that apply generally and neutrally without regard to the religious or nonreligious character of the activity, provided such regulations are not applied in a manner inconsistent with the First Amendment or RLUIPA.

V. SECURITY

Pursuant to Federal Rule of Civil Procedure 65(c), the Court finds that no security is necessary. Plaintiffs seek to prevent enforcement of governmental action Plaintiffs have shown to be contrary to the First Amendment and RLUIPA, and the Township has not demonstrated any monetary injury likely to result from the injunction.

Accordingly, Plaintiffs shall not be required to post a bond or other security.

VI. EFFECT AND DURATION

This Preliminary Injunction is effective immediately upon entry.

This Order binds the persons identified in Federal Rule of Civil Procedure 65(d)(2) upon actual notice of the Order.

The Preliminary Injunction shall remain in effect until entry of final judgment or further order of this Court.

This Order constitutes the Court's findings and conclusions for purposes of Federal Rules of Civil Procedure 52(a)(2) and 65.

IT IS SO ORDERED.

Dated: _____, 2026

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PAUL L. MALONEY
UNITED STATES DISTRICT JUDGE