

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STATE OF NEBRASKA,

Defendant.

8:26CV172

**CONSENT ORDER AND FINAL
JUDGMENT**

This case is before the Court on the parties' Joint Motion for Entry of Consent Judgment. [Filing 2](#). The Court has considered the parties' Joint Motion and all papers in support of and opposition to the Joint Motion, and for good cause shown,

IT IS ORDERED AND ADJUDGED that the parties' Joint Motion, [Filing 2](#), is granted.

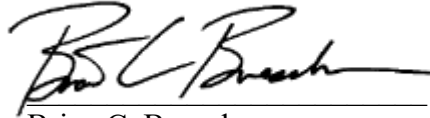
IT IS FURTHER ORDERED AND ADJUDGED that those portions of the [Neb. Rev. Stat. §§ 85-502](#), 85-1907(3), 85-3202(6), and 85-2102(6) that extend eligibility for in-state tuition benefits to aliens unlawfully present in the United States violate the Supremacy Clause and are invalid, and

IT IS FURTHER ORDERED AND ADJUDGED that the State of Nebraska, as well as its successors, agents, and employees, are forever restrained and enjoined from enforcing those portions of [Neb. Rev. Stat. §§ 85-502](#), 85-1907(3), 85-3202(6), and 85-2102(6) that extend eligibility for in-state tuition benefits to aliens unlawfully present in the United States.

This final judgment is issued pursuant to [Federal Rule of Civil Procedure 58\(a\)](#).

Dated this 3rd Day of June, 2026.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Brian C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge