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**Kelo v. City of New London, 125 S. Ct. 2655, 162 L. Ed. 2d 439, 2005 U.S. LEXIS 5011, 18 Fla. L. Weekly Fed. S
437, 60 Env
't Rep. Cas. (BNA) 1769 (U.S. 2005)**

SHEPARD'S Signal: Caution: Possible negative treatment

Restrictions: *Unrestricted*

FOCUS(TM) Terms: *No FOCUS terms*

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SHEPARD'S SUMMARY

Unrestricted Shepard's Summary

No negative subsequent appellate history.

Citing References:

Cautionary Analyses: **Criticized (1), Distinguished (8)**
 Positive Analyses: Followed (5)
 Neutral Analyses: Concurring Opinion (1), Dissenting Op. (3), Explained (1)
 Other Sources: Law Reviews (178), Statutes (10), Treatises (54)

LexisNexis Headnotes: HN2 (3), HN4 (2), HN5 (4), HN6 (21), HN7 (6), HN9 (2), HN10 (14), HN11 (9), HN12 (15), HN13 (4), HN14 (11), HN15 (8), HN16 (7), HN19 (5)

PRIOR HISTORY (5 citing references)

1. *Kelo v. City of New London*, 2002 Conn. Super. LEXIS 789 (Conn. Super. Ct. Mar. 13, 2002)
2. **Affirmed in part and reversed in part by, Remanded by:**
Kelo v. City of New London, 268 Conn. 1, 843 A.2d 500, 2004 Conn. LEXIS 54(2004)
3. **Writ of certiorari granted:**
Kelo v. City of New London, 542 U.S. 965, 125 S. Ct. 27, 159 L. Ed. 2d 857, 2004 U.S. LEXIS 5008, 73 U.S.L.W. 3204 (2004)
4. **Motion denied by:**
Kelo v. City of New London, 543 U.S. 1135, 125 S. Ct. 1241, 160 L. Ed. 2d 1093, 2005 U.S. LEXIS 1394, 73 U.S.L.W. 3493 (2005)

Affirmed by (CITATION YOU ENTERED):

Kelo v. City of New London, 125 S. Ct. 2655, 162 L. Ed. 2d 439, 2005 U.S. LEXIS 5011, 18 Fla. L. Weekly Fed. S 437, 60 Env't Rep. Cas. (BNA) 1769 (U.S. 2005)

5. **Criticized in:**

City of Norwood v. Horney, 2006 Ohio 3799, 2006 Ohio LEXIS 2170 (Ohio July 26, 2006)

SUBSEQUENT APPELLATE HISTORY (2 citing references)

6. **Rehearing denied by:**
Kelo v. City of New London, 126 S. Ct. 24, 162 L. Ed. 2d 922, 2005 U.S. LEXIS 5331, 74 U.S.L.W. 3113 (U.S. 2005)
7. **Motion denied by:**
Kelo v. City of New London, 126 S. Ct. 326, 163 L. Ed. 2d 40, 2005 U.S. LEXIS 5483, 74 U.S.L.W. 3201 (U.S. 2005)

CITING DECISIONS (52 citing decisions)

2ND CIRCUIT - COURT OF APPEALS

8. **Cited by:**
Didden v. Vill. of Port Chester, 173 Fed. Appx. 931, 2006 U.S. App. LEXIS 8653 (2d Cir. N.Y. 2006) **LexisNexis Headnotes HN12, HN14, HN15**

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9. **Cited by:**
Brody v. Minnich, 434 F.3d 121, 2005 U.S. App. LEXIS 26473 (2d Cir. N.Y. 2005) **LexisNexis Headnotes HN6, HN7, HN10, HN11**

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2ND CIRCUIT - U.S. DISTRICT COURTS

10. **Cited by:**
Buffalo S. R.R. v. Vill. of Croton-On-Hudson, 434 F. Supp. 2d 241, 2006 U.S. Dist. LEXIS 42725 (S.D.N.Y. 2006)

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11. **Cited by:**
Faith Temple Church v. Town of Brighton, 405 F. Supp. 2d 250, 2005 U.S. Dist. LEXIS 33389 (W.D.N.Y. 2005) **LexisNexis Headnotes HN10**

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12. **Cited by:**
Korsinsky v. Godici, 2005 U.S. Dist. LEXIS 20850 (S.D.N.Y. Sept. 22, 2005) **LexisNexis Headnotes HN6**

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3RD CIRCUIT - COURT OF APPEALS

13. **Cited by:**
Ash v. Redevelopment Auth., 143 Fed. Appx. 439, 2005 U.S. App. LEXIS 15928 (3d Cir. Pa. 2005)

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3RD CIRCUIT - U.S. DISTRICT COURTS

14. **Cited by:**
Benckini v. Upper Saucon Twp., 2005 U.S. Dist. LEXIS 23765 (E.D. Pa. Oct. 17, 2005) **LexisNexis Headnotes HN2, HN6, HN12, HN14, HN15**

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FMC Corp. v. AMVAC Chem. Corp., 379 F. Supp. 2d 733, 2005 U.S. Dist. LEXIS 15499 (E.D. Pa. 2005) **LexisNexis Headnotes HN12**

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9TH CIRCUIT - COURT OF APPEALS

16. **Cited by:**
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9TH CIRCUIT - U.S. DISTRICT COURTS

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18. **Cited by:**
Los Altos El Granada Investors v. City of Capitola, 2005 U.S. Dist. LEXIS 36804 (N.D. Cal. July 26, 2005) **LexisNexis Headnotes HN6**

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19. **Followed by, Cited by:**
Hsiung v. City & County of Honolulu, 378 F. Supp. 2d 1258, 2005 U.S. Dist. LEXIS 15110 (D. Haw. 2005) **LexisNexis Headnotes HN6, HN7, HN10, HN11, HN12, HN14, HN15, HN16, HN19**

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10TH CIRCUIT - COURT OF APPEALS

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10TH CIRCUIT - U.S. DISTRICT COURTS

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D.C. CIRCUIT - U.S. DISTRICT COURT

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24. **Cited by:**
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Rumber v. District of Columbia, 427 F. Supp. 2d 1, 2005 U.S. Dist. LEXIS 33360 (D.D.C. 2005)
- 427 F. Supp. 2d 1 *p.6*
26. **Cited by:**
George Wash. Univ. v. District of Columbia, 391 F. Supp. 2d 109, 2005 U.S. Dist. LEXIS 20169 (D.D.C. 2005) **LexisNexis Headnotes HN19**
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CALIFORNIA COURTS OF APPEAL

30. **Cited by:**
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COLORADO COURT OF APPEALS

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CONNECTICUT SUPREME COURT

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FLORIDA DISTRICT COURT OF APPEALS

36. **Distinguished by:**

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GEORGIA COURT OF APPEALS

37. **Cited by:**

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41. **Cited by:**

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43. **Cited by:**

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55. **Distinguished by, Cited in Dissenting Opinion at:**
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PUERTO RICO SUPREME COURT

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- 72. *SECTION II: CIVIL LAW, PROCEDURE, AND PRIVATE INTERNATIONAL LAW: The Boundaries of Property Rights: La Notion de Biens, 54 Am. J. Comp. L. 145 (2006)*
- 73. *NOTE: Reconsidering Poletown: In the Wake of Kelo, States Should Move to Restore Private Property Rights, 48 Ariz. L. Rev. 369 (2006)*
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100. *OCEANIC ECOSYSTEM MANAGEMENT: CHALLENGES AND OPPORTUNITIES FOR REGIONAL OCEAN GOVERNANCE: ADDITIONAL ARTICLE: YOU SAY TAKINGS, AND I SAY TAKINGS: THE HISTORY AND POTENTIAL OF REGULATORY TAKINGS CHALLENGES TO THE ENDANGERED SPECIES ACT*, 16 Duke Env L & Pol'y F 293 (2006)
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