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Keeler v. Mayor & City Council of Cumberland, 940 F. Supp. 879, 1996 U.S. Dist. LEXIS 16222 (D. Md. 1996)

SHEPARD'S Signal: Caution: Possible negative treatment

Restrictions: *Unrestricted*

FOCUS(TM) Terms: *No FOCUS terms*

Print Format: *FULL*

Citing Ref. Signal: *Hidden*

SHEPARD'S SUMMARY

Unrestricted Shepard's Summary

No subsequent appellate history. Prior history available.

Citing References:

Cautionary Analyses: **Distinguished (3)**

Neutral Analyses: Explained (1), Quest. Precedent (2)

Other Sources: Law Reviews (45), Statutes (6), Treatises (6)

LexisNexis Headnotes: HN5 (1), HN6 (3), HN7 (4), HN8 (6)

PRIOR HISTORY (2 citing references)

1. *Keeler v. Mayor of Cumberland*, 928 F. Supp. 591, 1996 U.S. Dist. LEXIS 8090(D. Md. 1996)

Summary judgment granted by, in part, Summary judgment denied by, in part (CITATION YOU ENTERED):

Keeler v. Mayor & City Council of Cumberland, 940 F. Supp. 879, 1996 U.S. Dist. LEXIS 16222 (D. Md. 1996)

2. **Motion to vacate denied by:**
Keeler v. Mayor of Cumberland, 951 F. Supp. 83, 1997 U.S. Dist. LEXIS 303 (D. Md. 1997)

CITING DECISIONS (13 citing decisions)

4TH CIRCUIT - U.S. DISTRICT COURTS

3. **Distinguished by:**
Renzi v. Connelly Sch. of the Holy Child, 61 F. Supp. 2d 440, 1999 U.S. Dist. LEXIS 13959 (D. Md. 1999) **LexisNexis Headnotes HN5, HN8**

61 F. Supp. 2d 440 p.447

5TH CIRCUIT - U.S. DISTRICT COURTS

4. **Cited by:**
Castle Hills First Baptist Church v. City of Castle Hills, 2004 U.S. Dist. LEXIS 4669 (W.D. Tex. Mar. 17, 2004)

2004 U.S. Dist. LEXIS 4669

7TH CIRCUIT - U.S. DISTRICT COURTS

5. **Cited by:**
C.L.U.B. v. City of Chicago, 2001 U.S. Dist. LEXIS 17213 (N.D. Ill. Oct. 17, 2001) **LexisNexis Headnotes HN8**

2001 U.S. Dist. LEXIS 17213
6. **Cited by:**
C.L.U.B. v. City of Chicago, 157 F. Supp. 2d 903, 2001 U.S. Dist. LEXIS 3791 (N.D. Ill. 2001) **LexisNexis Headnotes HN8**

157 F. Supp. 2d 903 p.914
7. **Cited by:**
Al-Salam Mosque Found. v. City of Palos Heights, 2001 U.S. Dist. LEXIS 2208 (N.D. Ill. Feb. 20, 2001) **LexisNexis Headnotes HN8**

2001 U.S. Dist. LEXIS 2208

9TH CIRCUIT - U.S. DISTRICT COURTS

8. **Cited by:**
Guru Nanak Sikh Soc'y v. County of Sutter, 326 F. Supp. 2d 1140, 2003 U.S. Dist. LEXIS 25336 (E.D. Cal. 2003) **LexisNexis Headnotes HN7**

326 F. Supp. 2d 1140 p.1160
9. **Distinguished by:**
Elsinore Christian Ctr. v. City of Lake Elsinore, 291 F. Supp. 2d 1083, 2003 U.S. Dist. LEXIS 24058 (C.D. Cal. 2003) **LexisNexis Headnotes HN6**

291 F. Supp. 2d 1083 p.1097
10. **Distinguished by:**
Elsinore Christian Ctr. v. City of Lake Elsinore, 270 F. Supp. 2d 1163, 2003 U.S. Dist. LEXIS 11301 (C.D. Cal. 2003) **LexisNexis Headnotes HN6**

270 F. Supp. 2d 1163 p.1177

10TH CIRCUIT - U.S. DISTRICT COURTS

11. **Cited by:**
Axson-Flynn v. Johnson, 151 F. Supp. 2d 1326, 2001 U.S. Dist. LEXIS 11400 (D. Utah 2001) **LexisNexis Headnotes HN7**

151 F. Supp. 2d 1326 p.1333

CALIFORNIA COURTS OF APPEAL

12. **Explained by questionable precedent at:**

Catholic Charities of Sacramento, Inc. v. Superior Court, 90 Cal. App. 4th 425, 109 Cal. Rptr. 2d 176, 2001 Cal. App. LEXIS 515, 2001 Cal. Daily Op. Service 5586, 2001 D.A.R. 6821 (Cal. App. 3d Dist. 2001) **LexisNexis Headnotes HN7**

90 Cal. App. 4th 425 p.446
109 Cal. Rptr. 2d 176 p.192

13. **Cited in questionable precedent at:**

East Bay Asian Local Development Corp. v. State of California, 69 Cal. App. 4th 1033, 81 Cal. Rptr. 2d 908, 1999 Cal. App. LEXIS 93, 99 Cal. Daily Op. Service 1001, 99 D.A.R. 1235 (Cal. App. 3d Dist. 1999) **LexisNexis Headnotes HN7, HN8**

69 Cal. App. 4th 1033 p.1046
81 Cal. Rptr. 2d 908 p.915

HAWAII SUPREME COURT

14. **Cited by:**

City & County of Honolulu v. Sherman, 110 Haw. 39, 129 P.3d 542, 2006 Haw. LEXIS 104 (Haw. 2006) **LexisNexis Headnotes HN6**

110 Haw. 39 p.53
129 P.3d 542 p.556

15. **Cited by:**

Korean Buddhist Dae Won Sa Temple v. Sullivan, 87 Haw. 217, 953 P.2d 1315, 1998 Haw. LEXIS 124 (Haw. 1998) **LexisNexis Headnotes HN8**

87 Haw. 217 p.247
953 P.2d 1315 p.1345

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16. *Md. Const. art. III, @ 40*

17. *Md. Ann. Code art. 66B, @ 8.01*

18. *Md. Ann. Code art. 66B, @ 8.09*

19. *Md. Dec. of R. art. 19*

20. *Md. Dec. of R. art. 24*

21. *Md. Dec. of R. art. 36*

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43 B.C. L. Rev. 1139 p.1139
25. *NOTE: TO SAVE AND SAVE NOT: THE HISTORIC PRESERVATION IMPLICATIONS OF THE PROPERTY RIGHTS MOVEMENT*, 77 B.U.L. Rev. 111 (1997)
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26. *COMMENT: Conditional Federal Spending: A Back Door To Enhanced Free Exercise Protection*, 88 Cal. L. Rev. 1281 (2000)
27. *SYMPOSIUM: REMOVE NOT THE ANCIENT LANDMARK: LEGAL PROTECTION FOR HISTORIC RELIGIOUS PROPERTIES IN AN AGE OF RELIGIOUS FREEDOM LEGISLATION*, 21 Cardozo L. Rev. 721 (1999)
28. *ARTICLE: THE SUPREME COURT AND RELIGIOUS LIBERTY*, 40 Catholic Law. 25 (2000)
29. *ESSAY: ON THE PERMISSIBLE SCOPE OF LEGAL LIMITATIONS ON THE FREEDOM OF RELIGION OR BELIEF IN: THE UNITED STATES*, 19 Emory Int'l L. Rev. 1187 (2005)
30. *ARTICLE: AND CONGRESS SAID, "LET THERE BE RELIGIOUS LAND USE": A RLUIPA PRIMER*, 78 Fla. Bar J. 18 (2004)
31. *ARTICLE: Regulatory Takings Challenges to Historic Preservation Laws After Penn Central*, 15 Fordham Env'tl. Law J. 313 (2004)
32. *NOTE: THE CONSTITUTIONAL VALIDITY OF THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000: WILL RLUIPA'S STRICT SCRUTINY SURVIVE THE SUPREME COURT'S STRICT SCRUTINY?*, 70 Fordham L. Rev. 2361 (2002)
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39. *ARTICLE: CITY OF BOERNE V. FLORES AND THE RELIGIOUS FREEDOM RESTORATION ACT: THE DELICATE BALANCE BETWEEN RELIGIOUS FREEDOM AND HISTORIC PRESERVATION*, 13 J. Land Use & Envtl. Law 107 (1997)
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