

442 F.2d 646

United States Court of Appeals, Second Circuit.

Earnestine KING, on her own behalf and on behalf of all others similarly situated, Plaintiff-Respondent, and Dorothy Green, Intervenor,

v.

The NEW ROCHELLE MUNICIPAL HOUSING AUTHORITY and Ellsworth Wright, in his capacity as Chairman of the New Rochelle Municipal Housing Authority, Defendants-Appellants.

Gertrude FRAZIER, on her own behalf and on behalf of all others similarly situated, Plaintiff-Respondent,

v.

The NEW ROCHELLE MUNICIPAL HOUSING AUTHORITY and Ellsworth Wright, in his capacity as Chairman of the New Rochelle Municipal Housing Authority, Defendants-Appellants.

Nos. 410, 411, Dockets 35372, 35373.

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Argued Jan. 26, 1971.

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Decided May 12, 1971.

Synopsis

Action challenging constitutionality of Municipal Housing Authority resolution imposing a five-year residency requirement for admission to public housing. The United States District Court for the Southern District of New York, Inzer B. Wyatt, J., 314 F.Supp. 427, granted plaintiffs' prayers for injunctive and declaratory relief, and defendants appealed. The Court of Appeals, Waterman, Circuit, Judge, held that five-year durational residency requirement for admission to public housing was violative of equal protection clause.

Affirmed.

Procedural Posture(s): On Appeal.

West Headnotes (2)

[1] **Constitutional Law** 🔑 Government Property, Facilities, and Funds

Five-year durational residency requirement for admission to public housing was violative of

equal protection clause. 42 U.S.C.A. § 1983; 28 U.S.C.A. § 1343(3, 4); U.S.C.A.Const. Amend. 14; Public Housing Law N.Y. § 407.

39 Cases that cite this headnote

[2] **Constitutional Law** 🔑 Class Legislation; Discrimination and Classification in General

If a fundamental personal right is involved, a classification can be upheld only if it furthers a compelling state interest. U.S.C.A.Const. Amend. 14.

71 Cases that cite this headnote

Attorneys and Law Firms

*646 Martin A. Schwartz, Victor J. Rubino, The Legal Aid Society of Westchester County, White Plains, N.Y., for respondents; Kenneth F. Phillips, Stephen P. Berzon, National Housing and Economic Development Law Project, Earl Warren Legal Institute, University of California Law School, Berkeley, Cal., on the brief.

Richard L. Baltimore, Jr., New York City, for New Rochelle Municipal Housing Authority and Ellsworth Wright.

Louis J. Lefkowitz, Atty. Gen. of New York, Samuel A. Hirshowitz, First Asst. Atty. Gen., Maria L. Marcus, Asst. Atty. Gen., for amicus curiae State Commissioner, N.Y. State Division of Housing and Community Renewal.

Before WATERMAN, MOORE and FEINBERG, Circuit Judges.

Opinion

WATERMAN, Circuit Judge:

These cases, brought under 42 U.S.C. § 1983 and 28 U.S.C. § 1343(3) and (4), present the issue of whether the five- *647 year durational residency requirement imposed by the New Rochelle Municipal Housing Authority (the Authority) for admission to public housing violates the Equal Protection Clause of the Fourteenth Amendment.

The relevant facts are not complicated.¹ The appellant Authority is a public corporation, established by § 407 of the New York Public Housing Law, McKinney's Consol.Laws, c.

44-A. Its function is to build, maintain, and administer public housing facilities in New Rochelle. Funds were borrowed from the State of New York for construction purposes, and the Authority receives a subsidy from both the State and the City of New Rochelle. No funds are received from the federal government. New York law provides the general framework for eligibility requirements for admission to public housing and specifically allows each locality to set its own residence requirements.² Section 3(a) of the Master Management Resolution of the appellant Authority provides in part:

1 A more thorough discussion of the facts is found in Judge Wyatt's able opinion below, 314 F.Supp. 427 (SDNY 1970).

2 Section 1627-3.1(a) of Title 9(c) of the Official Compilation of Codes, rules and Regulations of the State of New York. Another defendant, Charles Urstadt, Commissioner of the New York State Division of Housing and Community Renewal, was granted judgment in his favor below on the ground that the above provision was 'permissive only.' The correctness of this dismissal is not challenged by the plaintiffs, and hence is not before us on this appeal. Nevertheless, because of the State's interest, the Commissioner was granted leave to file an amicus brief in the Court of Appeals.

(a) There shall be admitted to a state-aided project only families:

1. One of whose members is a resident of the City of New Rochelle for not less than five continuous years prior to the time of admission * * * or were residents of the City of New Rochelle for not less than five continuous years prior to leaving the City, and left the City due to the housing shortage because they were unable to find quarters in the City * * *

The Authority has interpreted the word 'admission' in the above provision to mean 'application for admission,' so that a family must satisfy the five-year residency requirement before it may obtain a place at the end of the present waiting list of applicants.

The housing provided by the Authority is insufficient to meet the demands of the residents of New Rochelle, and at present there is a waiting list of such length that persons whose applications have already been accepted must wait an estimated three to ten years before an apartment becomes available in a desired size category. Thus, new residents of New Rochelle who desire public housing but do not satisfy the

five-year residency requirement may be delayed from eight to fifteen years.

Plaintiff-respondent Earnestine King moved from North Carolina to New Rochelle in the middle of 1965 in order to be with her mother, who was undergoing an operation, and in the hope of obtaining employment. She is presently employed as a typist and, in addition, receives a monthly grant of partial public assistance. Respondent Gertrude Frazier moved to New Rochelle from Yonkers, New York, in June 1968. Respondent Dorothy Green, intervenor in the King case, moved from White Plains, New York, to New Rochelle in the fall of 1967 and is presently receiving public assistance. Respondents all support families, ranging in size from one to five children, and they have continuously resided in New Rochelle since they moved there. Each respondent has on several occasions requested an application for public housing from the Authority; these requests have been refused, or, if an application was obtained, it was denied because the applicants failed to meet the five-year residency requirement.

[1] The court below held that the five-year residency requirement is unconstitutional *648 in light of *Shapiro v. Thompson*, 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969). We agree. In reaching our conclusion, we note the First Circuit's similar conclusion, in an able opinion by Judge Coffin, in *Cole v. Housing Authority of City of Newport*, 435 F.2d 807 (1 Cir. 1970), affirming 312 F.Supp. 692 (D.R.I.1970), a case which is in all respects indistinguishable from the instant case. although we reach our result independently of the First Circuit, we adopt that court's analysis on the finer points involved and present in this opinion only the broad fabric of our approach.

[2] In applying the Equal Protection Clause to the classification drawn by the Authority, we first decide the burden which must be met by the Authority in legitimizing the difference. The traditional test requires only that the classification be rationally related to a permissible goal.³ However, if a fundamental personal right is involved, a classification can be upheld only if it furthers a compelling state interest.⁴ Respondents assert that the residency requirement impinges upon their right to travel which, under *Shapiro, supra*, 394 U.S. at 634, 89 S.Ct. 1322, is a fundamental personal right. The Authority counters that, because of the lengthy waiting lists involved, there is no deterrence to travel effected by the five-year residency requirement. Without passing on this contention, we do find that the residency requirement penalizes respondents by adding an additional period of as much as five years

to the time they must wait for public housing and that this penalty is imposed solely because they have recently exercised their right to travel.⁵ Hence, ‘unless shown to be necessary to promote a compelling governmental interest, (the classification) is unconstitutional.’ *Shapiro, supra*, at 634, 89 S.Ct. at 1331 (emphasis in original).

³ See e.g., *Turner v. Fouche*, 396 U.S. 346, 362, 90 S.Ct. 532, 24 L.Ed.2d 567 (1970); *McGowan v. Maryland*, 366 U.S. 420, 425-426, 81 S.Ct. 1101, 6 L.Ed.2d 393 (1961); *Asbury Hospital v. Cass County*, 326 U.S. 207, 214, 66 S.Ct. 61, 90 L.Ed. 6 (1945).

⁴ See e.g., *Cipriano v. City of Houma*, 395 U.S. 701, 704, 89 S.Ct. 1897, 23 L.Ed.2d 647 (1969); *Kramer v. Union Free School District*, 395 U.S. 621, 633, 89 S.Ct. 1886, 23 L.Ed.2d 583 (1969).

⁵ See *Cole v. Housing Authority of City of Newport*, 435 F.2d 807, 811 (1 Cir. 1970) on the definition of ‘travel’ as ‘migration with intent to settle and abide.’

The Authority would distinguish *Shapiro* on several grounds. It is urged first that *Shapiro* does not apply to intrastate travel and therefore the residency requirement does not affect any fundamental right of respondents Green and Frazier, both of whom moved to New Rochelle from cities within New York State. However, we do not believe that the use of the term ‘interstate travel’ in *Shapiro* was anything more than a reflection of the state-wide enactments involved in that case. Indeed, the Supreme Court specifically refused to ascribe the source of the right to travel to a particular constitutional provision, 394 U.S. at 630 and n. 8, 89 S.Ct. at 1329 but relied on ‘our constitutional concepts of personal liberty,’ 394 U.S. at 629, 89 S.Ct. at 1329. It would be meaningless to describe the right to travel between states as a fundamental precept of personal liberty and not to acknowledge a correlative constitutional right to travel within a state.⁶ Cf. *649 *Valenciano v. Bateman*, 323 F.Supp. 600 (D.C.Ariz.). See *Kent v. Dulles*, 357 U.S. 116, 125-126, 78 S.Ct. 1113, 2 L.Ed.2d 1204 (1958); *Bell v. Maryland*, 378 U.S. 226, 255, 84 S.Ct. 1814, 12 L.Ed.2d 822 (1964) (separate opinion of Douglas, J.); Note, *Residence Requirements after Shapiro v. Thompson*, 70 Colum.L.Rev. 134, 137-139 (1970).

⁶ Indeed, it appears inconsistent for the Authority to argue that the residency requirement should be

upheld to exclude long-term residents of New York even if the requirement is unconstitutional as to persons moving into New Rochelle from outside New York. The main thrust of the Authority’s argument is that priority should be given to those with more permanent ties to the community. By this logic, respondents Frazier and Green, long-term New York residents, should have more equity in a state-aided public housing facility than the respondent King.

The Authority also contends that *Shapiro*, which concerned a divisible commodity (welfare payments), is not applicable where the commodity is physically limited and indivisible as in the case of public housing. But respondents are not seeking immediate accommodations in public housing; they are asking only that they be granted equal treatment with long-term residents in obtaining waiting-list priority. Thus, without passing on the relevance of the distinction urged by the Authority, we find that the actual commodity involved in this case is time, a commodity which is readily divisible. Just as welfare payments may be spread more thinly over a greater number of recipients, so can waiting time be distributed among applicants for public housing.

In analyzing the Authority’s rationale for the five-year residency requirement, we find no compelling governmental interest. It is not contended that long-term residents are more needy than short-term residents, nor that public housing will be of more benefit to long-term residents. Indeed, the justification the Authority advances is similar to the justification the Court found unacceptable in *Shapiro*: that each community should take care of its own first. Indeed, inasmuch as this goal is constitutionally impermissible under *Shapiro*, the lack of any other rationale for the residency requirement would invalidate that requirement under the traditional Equal Protection Clause test.⁷

⁷ See *supra* note 3 and accompanying text.

In reaching our conclusion we emphasize that we are here deciding only the validity of a durational residency requirement for admission to public housing. As in *Shapiro* there is no contention here that a state or a local government may not require that applicants for public services be bona fide residents. Nor do we suggest any opinion as to the validity of other durational residency requirements, many of which assuredly do promote significant state interests.

Affirmed.

All Citations

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Negative Treatment

Negative Citing References (2)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	 1. Doe v. Miller ” 405 F.3d 700 , 8th Cir.(Iowa) CIVIL RIGHTS - Due Process. Residency restriction in sex offender statute was rational way of promoting safety of children.	Apr. 29, 2005	Case		2 F.2d
Distinguished by	 2. Williams v. Town of Greenburgh ” MOST NEGATIVE 535 F.3d 71 , 2nd Cir.(N.Y.) CIVIL RIGHTS - Free Speech. Plaintiff did not suffer cognizable injury to his free speech rights following his statements condemning town official.	July 22, 2008	Case		1 2 F.2d

History (3)

Direct History (3)

1. [King v. New Rochelle Municipal Housing Authority](#)
314 F.Supp. 427 , S.D.N.Y. , June 29, 1970














Judgment Affirmed by



-  2. [King v. New Rochelle Municipal Housing Authority](#)
442 F.2d 646 , 2nd Cir.(N.Y.) , May 12, 1971

Certiorari Denied by







3. [New Rochelle Municipal Housing Authority v. King](#)
404 U.S. 863 , U.S.N.Y. , Oct. 12, 1971

Citing References (219)

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	 1. Williams v. Town of Greenburgh ¶ 535 F.3d 71, 75+ , 2nd Cir.(N.Y.) CIVIL RIGHTS - Free Speech. Plaintiff did not suffer cognizable injury to his free speech rights following his statements condemning town official.	July 22, 2008	Case		1 2 F.2d
Distinguished by NEGATIVE	 2. Doe v. Miller ¶ 405 F.3d 700, 713+ , 8th Cir.(Iowa) CIVIL RIGHTS - Due Process. Residency restriction in sex offender statute was rational way of promoting safety of children.	Apr. 29, 2005	Case		2 F.2d
Discussed by	 3. Spencer v. Casavilla ¶ 903 F.2d 171, 174+ , 2nd Cir.(N.Y.) Parents of black man who was fatally beaten by whites brought civil rights action against assailants. The United States District Court for the Southern District of New York,...	May 14, 1990	Case		1 2 F.2d
Discussed by	 4. Lutz v. City of York, Pa. ¶ 899 F.2d 255, 261+ , 3rd Cir.(Pa.) Action was brought challenging constitutionality of Pennsylvania ordinance outlawing "cruising," which consisted of driving repeatedly around loop of certain major public roads...	Mar. 28, 1990	Case		2 F.2d
Discussed by	 5. Pottinger v. City of Miami ¶ 810 F.Supp. 1551, 1579+ , S.D.Fla. Class action was brought under § 1983 against city on behalf of homeless persons living in city, alleging violations of constitutional rights in connection with arrests and...	Nov. 16, 1992	Case		2 F.2d
Discussed by	6. Carter v. Gallagher ¶ 337 F.Supp. 626, 629+ , D.Minn. Action seeking injunctive and declaratory relief in regard to durational residency requirement contained in the Minnesota veterans preference statute. The District Court, Larson,...	Aug. 06, 1971	Case		2 F.2d
Discussed by	7. Upper Hudson Planned Parenthood, Inc. v. Doe 1991 WL 183863, *16+ , N.D.N.Y. Plaintiff Upper Hudson Planned Parenthood, Inc. ("UHPP") commenced this action on October 9, 1990. UHPP is a New York corporation which performs medical services at five...	Sep. 16, 1991	Case		2 F.2d
Discussed by	8. Lopez v. White Plains Housing Authority 355 F.Supp. 1016, 1021+ , S.D.N.Y. Action by public housing applicants against officials of local housing authority and against Commissioner of State Division of Housing and Community Renewal seeking injunctive and...	Oct. 04, 1972	Case		1 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 9. Burr v. New Rochelle Municipal Housing Authority 347 F.Supp. 1202, 1204+ , S.D.N.Y. Suit brought against municipal housing authority and its chairman and project manager by tenants who claimed that defendants' failure to accord them adequate notice and a hearing...	Sep. 15, 1972	Case		1 2 F.2d
Discussed by	 10. Tobe v. City of Santa Ana ” 40 Cal.Rptr.2d 402, 438+ , Cal. Camping. Ordinance banning camping and storage of personal property in public areas did not impermissibly restrict right to travel.	Apr. 24, 1995	Case		2 F.2d
Discussed by	 11. Housing Authority of Town of East Hartford v. Papandrea ” 610 A.2d 637, 651+ , Conn. Local housing authority filed complaint and application for permanent injunction against commissioner of housing, seeking to enjoin him from operating federal housing program in...	June 04, 1992	Case		1 2 F.2d
Discussed by	12. Bruno v. Civil Service Com'n of City of Bridgeport ” 472 A.2d 328, 333+ , Conn. Action was brought for injunctive relief restraining defendant from refusing to appoint plaintiff to the position of recreation superintendent of city. The Superior Court,...	Feb. 28, 1984	Case		1 2 F.2d
Discussed by	13. LaPaglia v. Connecticut Valley Hospital ” 2018 WL 5099732, *6+ , Conn.Super. On October 10, 2017, the plaintiff, John Angelo LaPaglia, who is self-represented, commenced this action by service of writ, summons and complaint against the defendants, the...	Oct. 02, 2018	Case		1 2 F.2d
Discussed by	14. State v. Culmo ” 642 A.2d 90, 96+ , Conn.Super. Defendant charged with second-degree stalking moved to dismiss indictment on ground statute was unconstitutionally vague. The Superior Court, Geographical Area No. 9 at...	Aug. 03, 1993	Case		1 2 F.2d
Discussed by	15. Abrahams v. Civil Service Commission 319 A.2d 483, 487+ , N.J. Proceeding on appeal from Civil Service Commission's dismissal of appeal of city law department secretary whose employment was terminated due to failure to reside in city. After...	May 08, 1974	Case		1 2 F.2d
Discussed by	 16. In re Township of Warren ” 588 A.2d 1227, 1243+ , N.J.Super.A.D. The Council on Affordable Housing (COAH) granted substantive certification to housing element and fair share plan proposed by township to satisfy its lower income housing...	Mar. 26, 1991	Case		1 2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	17. Williams v. Department of Corrections and Community Supervision ¶¶ 979 N.Y.S.2d 489, 504+ , N.Y.Sup. CRIMINAL JUSTICE - Sex Offenders. Statute prohibiting sex offenders on parole from living within 1,000 feet of school did not violate Ex Post Facto Clause.	Jan. 15, 2014	Case		2 F.2d
Discussed by	18. State v. Burnett 2000 WL 955614, *3+ , Ohio App. 1 Dist. Raising three assignments of error, defendant-appellant George Burnett appeals the trial court's judgment convicting him of criminal trespass in violation of R.C. 2911.21. On...	Dec. 23, 1999	Case		2 F.2d
Discussed by	19. Loiselle v. City of East Providence ¶¶ 359 A.2d 345, 347+ , R.I. Treasurer of city appealed from judgment of the Superior Court, Providence and Bristol Counties, Bulman, J., which affirmed city council's termination of his services for failure...	July 01, 1976	Case		2 F.2d
Cited by	20. Memorial Hospital v. Maricopa County 94 S.Ct. 1076, 1081 , U.S.Ariz. Appeal from a decision of the Arizona Supreme Court, 108 Ariz. 373, 498 P.2d 461, vacating a judgment of trial court compelling county board of supervisors to accept an indigent...	Feb. 26, 1974	Case		1 F.2d
Cited by	21. Showtime Entertainment, LLC v. Town of Mendon 769 F.3d 61, 78 , 1st Cir.(Mass.) REAL PROPERTY - Zoning and Planning. Zoning restrictions on adult-entertainment establishments' size, height, and hours of operation did not survive intermediate scrutiny.	Oct. 08, 2014	Case		—
Cited by	22. New York State Rifle & Pistol Association, Inc. v. City of New York ¶¶ 883 F.3d 45, 66 , 2nd Cir. CIVIL RIGHTS - Right to Bear Arms. City rule limiting circumstances under which person with premises license for handgun could remove gun from premises did not violate Second...	Feb. 23, 2018	Case		2 F.2d
Cited by	23. Urbina v. City of New York 672 Fed.Appx. 52, 55 , 2nd Cir.(N.Y.) CIVIL RIGHTS — Searches and Seizures. Police officers' direction that plaintiff leave his friend's apartment and proceed down specific street was not a seizure under the Fourth...	Nov. 29, 2016	Case		—
Cited by	24. Selevan v. New York Thruway Authority ¶¶ 584 F.3d 82, 100 , 2nd Cir.(N.Y.) GOVERNMENT - Highways and Roads. Nonresident motorists challenging toll policy stated § 1983 claim under the dormant Commerce Clause	Oct. 15, 2009	Case		2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 25. Ramos v. Town of Vernon 353 F.3d 171, 176+ , 2nd Cir.(Conn.) CIVIL RIGHTS - Equal Protection. Curfew barring juveniles from being on street with parental consent violated equal protection.	Dec. 19, 2003	Case		2 F.2d
Cited by	 26. Ramos v. Town of Vernon 331 F.3d 315, 322+ , 2nd Cir.(Conn.) CIVIL RIGHTS - Equal Protection. Town curfew ordinance for minors violated minors' equal protection rights.	June 02, 2003	Case		2 F.2d
Cited by	 27. Burr v. New Rochelle Municipal Housing Authority 479 F.2d 1165, 1167 , 2nd Cir.(N.Y.) Appeal from a judgment of the United States District Court for the Southern District of New York, Morris E. Lasker, J., 347 F.Supp. 1202, holding that municipal housing authority...	May 25, 1973	Case		2 F.2d
Cited by	 28. Boraas v. Village of Belle Terre 476 F.2d 806, 817 , 2nd Cir.(N.Y.) Civil rights action challenging constitutionality of village zoning ordinance limiting occupancy of one-family dwellings to traditional families or to groups of not more than two...	Feb. 27, 1973	Case		2 F.2d
Cited by	 29. United States v. Baroni  909 F.3d 550, 587 , 3rd Cir.(N.J.) CRIMINAL JUSTICE — Fraud. Sufficient evidence supported defendants' convictions for wire fraud based on scheme to impose gridlock on municipality.	Nov. 27, 2018	Case		1 F.2d
Cited by	 30. Johnson v. City of Cincinnati  310 F.3d 484, 498 , 6th Cir.(Ohio) CIVIL RIGHTS - Right to Travel. Ordinance banning drug offenders from drug exclusion zones was unconstitutional.	Sep. 26, 2002	Case		2 F.2d
Cited by	 31. Fletcher v. Housing Authority of Louisville 491 F.2d 793, 798 , 6th Cir.(Ky.) Action for declaratory and injunctive relief against city housing authority's institution of rent range formula which allocated apartments available under federally funded housing...	Jan. 25, 1974	Case		1 F.2d
Cited by	 32. Green v. McKeon 468 F.2d 883, 884 , 6th Cir.(Mich.) Appeal was taken from judgment of the United States District Court for the Eastern District of Michigan, Southern Division, Damon J. Keith, J., 335 F. Supp. 630, declaring...	Oct. 12, 1972	Case		1 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	33. Potter v. City of Lacey 46 F.4th 787, 796+ , 9th Cir. CIVIL RIGHTS — Certified Questions. Question regarding right to intrastate travel would be certified to Supreme Court of Washington State.	Aug. 18, 2022	Case		—
Cited by	34. Fisher v. Reiser 610 F.2d 629, 642 , 9th Cir.(Nev.) Class action was filed to obtain declaratory and injunctive relief to redress alleged deprivation of equal protection and violation of the right to travel arising from Nevada's...	Nov. 28, 1979	Case		1 F.2d
Cited by	35. Hutchins v. District of Columbia 188 F.3d 531, 537+ , D.C.Cir. Minors, parents, and private business brought action against District of Columbia to challenge constitutionality of District's Juvenile Curfew Act. The United States District Court...	June 18, 1999	Case		2 F.2d
Cited by	36. Thompson v. Washington 497 F.2d 626, 632 , D.C.Cir. Class action on behalf of tenants of approximately 6,000 rental units of United States Capital Housing Authority for injunctive and declaratory relief with respect to rental...	Dec. 10, 1973	Case		1 F.2d
Cited by	37. Lucero v. Operation Rescue of Birmingham 772 F.Supp. 1193, 1205 , N.D.Ala. Operator of abortion clinic and his patients brought action challenging protests that blocked access to clinic. On plaintiffs' motion for preliminary injunction, the District...	Aug. 15, 1991	Case		2 F.2d
Cited by	38. Klock v. Cain 813 F.Supp. 1430, 1432+ , C.D.Cal. Detainee brought civil rights action against police officers, alleging he was deprived of his right not to be "deported" from city when officers allegedly took him outside city...	Feb. 17, 1993	Case		1 2 F.2d
Cited by	39. Peruta v. City of Hartford 2012 WL 3656366, *6 , D.Conn. The Plaintiff, Edward A. Peruta, brings this action for an injunction on behalf of himself and other persons similarly situated to enjoin the operation of the Pay and Display...	Aug. 24, 2012	Case		1 2 F.2d
Cited by	40. Lorenz v. Logue 481 F.Supp. 173, 176+ , D.Conn. City employees challenged validity of city ordinance imposing certain residency requirements on them. The District Court, Ellen Bree Burns, J., held that: (1) continuing residency...	June 27, 1979	Case		1 2 F.2d
Cited by	41. Wellford v. Battaglia 343 F.Supp. 143, 147 , D.Del. Action attacking constitutionality of Wilmington city charter provision that mayor shall have been resident for at least five years preceding election. The District Court,...	May 23, 1972	Case		2 F.2d





Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	42. Everybody Counts, Inc. v. Indiana Regional Planning Commission 2006 WL 2471974, *9 , N.D.Ind. Title II of the Americans with Disabilities Act (the "ADA") and Section 504of the Rehabilitation Act both prohibit public entities from discriminating in the provision of...	Mar. 30, 2006	Case		2 F.2d
Cited by	43. Stingley v. City of Lincoln Park ¶ 429 F.Supp. 1379, 1387+ , E.D.Mich. In an action on a complaint complaining of discrimination in public housing, the District Court, Guy, J., held that (1) there was no adequate proof of discriminatory intent on the...	Apr. 20, 1977	Case		1 2 F.2d
Cited by	44. Barnes v. Board of Trustees, Mich. Veterans Trust Fund 369 F.Supp. 1327, 1335+ , W.D.Mich. Suit contesting validity of durational residency requirement applicable to obtaining benefits under Michigan Veterans Trust Fund. A three-judge federal court held that veterans...	Dec. 21, 1973	Case		2 F.2d
Cited by	45. Shanks v. Forsyth County Park Authority, Inc. 869 F.Supp. 1231, 1235 , M.D.N.C. Motorcyclist brought civil rights action against county park authority and park manager challenging ban on motorcycles within park. Plaintiff sought injunctive relief and also...	Oct. 04, 1994	Case		2 F.2d
Cited by	46. Galicki v. New Jersey ¶ 2016 WL 4950995, *13+ , D.N.J. This civil action arises out of the closure of multiple lanes of traffic to the George Washington Bridge ("GWB") from September 9, 2013, through September 13,2013, and is before...	Sep. 15, 2016	Case		1 F.2d
Cited by	47. United States v. Baroni 2016 WL 3388302, *9 , D.N.J. Before this Court are Defendants William E. Baroni Jr. ("Baroni") and Bridget Anne Kelly's ("Kelly") (collectively, "Defendants") Motions to Dismiss the Indictment pursuant to...	June 13, 2016	Case		—
Cited by	48. Krzewinski v. Kugler ¶ 338 F.Supp. 492, 498+ , D.N.J. Action to determine constitutionality of New Jersey tenure statute requiring police and firemen to be residents in municipality where they are employed. The three-judge District...	Feb. 04, 1972	Case		2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	49. SHANNON J. BONES, a/k/a Shannon Joy, individually and as a parent and natural guardian of M.B., an infant, Plaintiff, v. COUNTY OF MONROE, et al., Defendants. Additional Party Names: County of Monroe Department of Public Health, Dr. Michael Mendoza, Fairport Police Department, Monroe County Department of Public Health ” 2023 WL 8809732, *10 , W.D.N.Y. On April 11, 2023, Plaintiff Shannon J. Bones, a/k/a Shannon Joy, individually and as a parent and natural guardian of M.B., an infant, (“Plaintiff”) brought this action against...	Dec. 20, 2023	Case		2 F.2d
Cited by	50. Tew v. Town of Stony Point ” 2023 WL 6146651, *9 , S.D.N.Y. Plaintiff Jeffrey Charles Tew (“Plaintiff”), proceeding pro se, brings this action against Town of Stony Point (the “Town”) and Stony Point Justice Court (“SPJC”; collectively,...	Sep. 20, 2023	Case		2 F.2d
Cited by	51. Deide v. Day ” 2023 WL 3842694, *20+ , S.D.N.Y. CIVIL RIGHTS — Equal Protection. Executive orders by counties barring local lodging facilities from accepting migrants failed strict scrutiny for equal protection violation.	June 06, 2023	Case		1 F.2d
Cited by	52. Page v. Cuomo ” 478 F.Supp.3d 355, 362 , N.D.N.Y. CIVIL RIGHTS — Due Process. Individual failed to state constitutional claim to challenge New York State executive order requiring travelers to quarantine in light of COVID-19.	Aug. 11, 2020	Case		2 F.2d
Cited by	53. Bey v. District of Columbia 2018 WL 5777021, *6+ , E.D.N.Y. Plaintiff Stanley Aristilde El Bey, proceeding pro se, filed the above-captioned action on October 10, 2017, against various state, municipal, and individual Defendants. (Compl.,...	Nov. 01, 2018	Case		—
Cited by	54. Zhang Jingrong v. Chinese Anti-Cult World Alliance ” 287 F.Supp.3d 290, 298 , E.D.N.Y. CIVIL RIGHTS — Conspiracy. Religious practitioners stated claim against corporation for deprivation of their right to intrastate travel under civil rights conspiracy statute.	Mar. 14, 2018	Case		2 F.2d
Cited by	55. Zhang v. Chinese Anti-Cult World Alliance (CACWA) ” 2016 WL 1128401, *5+ , E.D.N.Y. Before the Court on referral from the Honorable Sandra L. Townes, see ECF No. 31, is Defendants' partial motion to dismiss the Complaint pursuant to Federal Rule of Civil Procedure...	Jan. 28, 2016	Case		2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 56. New York State Rifle & Pistol Ass'n v. City of New York 86 F.Supp.3d 249, 263 , S.D.N.Y. CIVIL RIGHTS - Right to Bear Arms. New York City law restricting transportation of licensed handguns was constitutional.	Feb. 05, 2015	Case		—
Cited by	 57. Wallace v. New York ¶¶ 40 F.Supp.3d 278, 328 , E.D.N.Y. CRIMINAL JUSTICE - Sex Offenders. State sex offender residency restrictions, which imposed lifetime restrictions on some offenders, did not violate Ex Post Facto Clause.	Aug. 28, 2014	Case		2 F.2d
Cited by	58. Edelhertz v. City of Middletown ¶¶ 2013 WL 4038605, *5 , S.D.N.Y. Plaintiff Melvyn Edelhertz brings this Section 1983 action alleging defendant the City of Middletown, New York, violated plaintiff's rights under the Privileges and Immunities...	May 06, 2013	Case		2 F.2d
Cited by	 59. Bishop v. Best Buy, Co. Inc. 2010 WL 4159566, *11 , S.D.N.Y. CIVIL RIGHTS - Equal Protection. Retailer shopper adequately stated a claim upon which relief could be granted under section 1981's full and equal benefit clause alleging that he...	Oct. 13, 2010	Case		—
Cited by	 60. Five Borough Bicycle Club v. City of New York 483 F.Supp.2d 351, 362+ , S.D.N.Y. CIVIL RIGHTS - Free Speech. City's limitation on mass bicycle riding did not violate First Amendment.	Apr. 17, 2007	Case		2 F.2d
Cited by	 61. Serby v. Town of Hempstead 2006 WL 2853869, *12 , E.D.N.Y. The instant case arises from a municipality's attempted enforcement of N.Y. Agricultural and Markets Law § 121, the State's so-called "dangerous dog statute" ("dangerous dog...	Sep. 30, 2006	Case		2 F.2d
Cited by	62. Campbell v. Westchester County 1998 WL 788791, *1 , S.D.N.Y. In an Opinion and Order dated December 11, 1997, I granted the defendants' motion to dismiss three of plaintiff's seven claims. Defendants have now moved for summary judgment on...	Nov. 10, 1998	Case		2 F.2d
Cited by	 63. Johnson v. Harron 1995 WL 319943, *34 , N.D.N.Y. Presently before the court are a number of motions seeking summary judgment with respect to various claims or defenses contained in the pleadings filed in this action. First of...	May 23, 1995	Case		1 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	64. Maxwell v. City of New York 1995 WL 244501, *7+ , S.D.N.Y. Plaintiff, Wilfred L. Maxwell, a retired police officer, sues the City of New York, the New York City Police Department ("NYPD"), Police Commissioner William Bratton, Lieutenant...	Apr. 27, 1995	Case		1 F.2d
Cited by	65. Streetwatch v. National R.R. Passenger Corp. 875 F.Supp. 1055, 1059+ , S.D.N.Y. Unincorporated membership association which monitored police and private security forces' treatment of homeless people and persons who were homeless brought suit against Amtrak...	Feb. 21, 1995	Case		2 F.2d
Cited by	66. Lopez v. Johnson 1993 WL 220547, *5+ , W.D.N.Y. The plaintiff brings this action pursuant to Bivens v. Six Unknown Fed. Narcotics Agents, 403 U.S. 388 (1971), for damages arising out of the defendants' seizure from her of...	June 15, 1993	Case		2 F.2d
Cited by	67. Evans v. Verdon 1992 WL 486299, *3+ , E.D.N.Y. The plaintiffs in this case are a black minor, David Evans and his father Anthony Evans. The plaintiffs charge that on August 22, 1989 the defendant, Verdon, exited from his...	Oct. 23, 1992	Case		2 F.2d
Cited by	68. Weiss v. Willow Tree Civic Ass'n 467 F.Supp. 803, 813 , S.D.N.Y. Hasidic Jews brought complaint alleging that civic association and its members had conspired and acted to harass and delay Hasidic Jews who sought to establish housing development...	Feb. 08, 1979	Case		2 F.2d
Cited by	69. Lopez v. Wyman 329 F.Supp. 483, 486 , W.D.N.Y. Action challenging constitutionality of the state welfare residency statute. The District Court, Curtin, J., held that action challenging constitutionality of recently enacted...	July 12, 1971	Case		—
Cited by	70. McCool v. City of Philadelphia 494 F.Supp.2d 307, 314 , E.D.Pa. CIVIL RIGHTS - Due Process. Plaintiff stated claim that his substantive due process right of intrastate travel was violated by residency requirement.	June 27, 2007	Case		2 F.2d
Cited by	71. Smith v. Lower Merion Tp. 1991 WL 152982, *8 , E.D.Pa. Plaintiffs, a group of students residing in Lower Merion Township and owners of property within the Township, bring this action, under 42 U.S.C. §§ 1983 and 1985, asking the court...	Aug. 06, 1991	Case		—
Cited by	72. Hawk v. Fenner 396 F.Supp. 1, 4 , D.S.D. Applicants for county poor relief, who were denied relief because they had not resided in the state for one year and in the county for 90 days, brought action against state...	May 30, 1975	Case		2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 73. McCay v. State of S.D. 366 F.Supp. 1244, 1246 , D.S.D. Action to have enforcement of durational residency requirement of South Dakota divorce statute enjoined. A three-judge district court was convened pursuant to 28 U.S.C.A. §§ 2281,...	Nov. 15, 1973	Case		2 F.2d
Cited by	 74. Eldridge v. Bouchard 645 F.Supp. 749, 754+ , W.D.Va. Employees of one division of Virginia Department of State Police brought suit challenging Department's practice of paying salary differential to employees of another division. ...	Oct. 09, 1986	Case		1 F.2d
Cited by	75. Pathfinders Motorcycle Club v. Prue  500 F.Supp.2d 426, 435+ , D.Vt. CIVIL RIGHTS - Immunity. Summary judgment on qualified immunity grounds was not warranted in § 1983 action brought by off-road motorcycle enthusiasts.	May 23, 2007	Case		2 F.2d
Cited by	 76. Aitken v. City of Aberdeen 393 F.Supp.3d 1075, 1083 , W.D.Wash. GOVERNMENT — Injunction. Balance of equities and public interest did not favor injunction barring enforcement of city ordinance that would evict occupants of homeless camp.	July 02, 2019	Case		—
Cited by	 77. Timberlake v. Kenkel 369 F.Supp. 456, 468 , E.D.Wis. Two married couples, who were unrelated by blood, and who along with their children lived in the same dwelling unit in a single-family residential zone brought Civil Rights Act...	Jan. 08, 1974	Case		—
Cited by	78. Schneider v. Todman 1976 WL 409168, *2 , D.Virgin Islands Plaintiff Victor Schneider filed a nominating petition as a candidate for a seat in the Legislature of the Virgin Islands. His petition, ultimately in order in all formal...	July 13, 1976	Case		—
Cited by	 79. State v. Wylie 516 P.2d 142, 147 , Alaska Applicant for state employment sought declaratory and injunctive relief against enforcement of durational residency requirements for state employment. The Superior Court, First...	Nov. 23, 1973	Case		2 F.2d
Cited by	 80. Ector v. City of Torrance 109 Cal.Rptr. 849, 853 , Cal. Former city librarian petitioned for writ of mandate to compel charter city to vacate order terminating his employment on ground that he did not reside within borders of city as...	Oct. 02, 1973	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 81. Thompson v. Mellon 107 Cal.Rptr. 20, 24 , Cal. Proceeding for writ of mandate under which petitioner challenged constitutionality of city charter provision prescribing two-year durational residence requirement for candidates...	Mar. 16, 1973	Case		—
Cited by	 82. In re White ¶¶ 158 Cal.Rptr. 562, 567 , Cal.App. 5 Dist. Petitioner, convicted of soliciting an act of prostitution, brought habeas corpus proceeding seeking to be free from certain conditions of probation. The Court of Appeal, Hopper,...	Sep. 24, 1979	Case		2 F.2d
Cited by	83. CEEED v. California Coastal Zone Conservation Com. ¶¶ 118 Cal.Rptr. 315, 333 , Cal.App. 4 Dist. The constitutionality of the Coastal Conservation Act of 1972, i.e., the 'Coastal Initiative,' was challenged by an action for declaratory relief. From an adverse judgment of the...	Nov. 19, 1974	Case		2 F.2d
Cited by	 84. People v. Housman 210 Cal.Rptr. 186, 190 , Cal.Super.A.D. Defendant pled guilty in the Municipal Court, Beverly Hills Judicial District, Los Angeles County, John Murphy, Temporary Judge, to charge of violating municipal ordinance...	Nov. 27, 1984	Case		2 F.2d
Cited by	 85. Jeffrey v. Colorado State Dept. of Social Services 599 P.2d 874, 879 , Colo. In a class action brought to challenge a provision of the old-age pension statute, the plaintiffs appealed from the judgment of the District Court, City and County of Denver,...	Aug. 20, 1979	Case		1 F.2d
Cited by	86. Bruno v. Civil Service Commission of City of Bridgeport 440 A.2d 155, 157 , Conn. Applicant for employment in classified service of city appealed from judgment of the Superior Court in the judicial district of Fairfield at Bridgeport, Landau, J., foreclosing him...	May 19, 1981	Case		1 F.2d
Cited by	87. State v. Robinson ¶¶ 937 A.2d 717, 730 , Conn.App. CRIMINAL JUSTICE - Arrest. Police officer had probable cause to arrest defendant for criminal trespass in the third degree.	Jan. 08, 2008	Case		2 F.2d
Cited by	88. Schiavone v. Destefano 852 A.2d 862, 869 , Conn.Super. GOVERNMENT - Municipalities. City's 5 year durational residency requirement for mayoral office violated equal protection.	Feb. 01, 2001	Case		2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 89. Com. v. Weston W. ¶ 913 N.E.2d 832, 839 , Mass. CRIMINAL JUSTICE - Curfews. Six-hour curfew on persons under seventeen years of age was unconstitutional in part.	Sep. 25, 2009	Case		2 F.2d
Cited by	90. Town of Milton v. Civil Service Commission 312 N.E.2d 188, 192 , Mass. Cities and town brought bill in equity to compel Civil Service Commission and director of civil service of Commonwealth to comply with statute requiring that applicants, who seek...	June 05, 1974	Case		2 F.2d
Cited by	 91. Matthews v. City of Atlantic City 417 A.2d 1011, 1019 , N.J. Action was brought to declare two-year residency requirement for office of city commissioner unconstitutional. The Superior Court, Appellate Division, affirmed the trial court's...	July 30, 1980	Case		—
Cited by	 92. Williams v. Department of Corrections and Community Supervision 24 N.Y.S.3d 18, 35 , N.Y.A.D. 1 Dept. CRIMINAL JUSTICE - Sex Offenders. SARA's retroactive application to parolee convicted before its enactment did not violate Ex Post Facto Clause.	Jan. 12, 2016	Case		—
Cited by	93. Allen v. Town of North Hempstead ¶ 469 N.Y.S.2d 528, 533 , N.Y.Sup. Action was instituted for a declaratory judgment as to constitutionality of a town zoning ordinance. The Supreme Court, Special Term, Nassau County, Vincent R. Balletta, J., held...	Nov. 18, 1983	Case		1 F.2d
Cited by	 94. State v. Burnett ¶ 755 N.E.2d 857, 865+ , Ohio CRIMINAL JUSTICE - Trespass. Drug-exclusion zone violated due process right to intra-state travel.	Oct. 17, 2001	Case		2 F.2d
Cited by	 95. Fraternal Order of Police Youngstown Lodge No. 28 v. Hunter ¶ 360 N.E.2d 708, 716+ , Ohio App. 7 Dist. Action was brought for determination of rights of parties under Youngstown civil service commission regulation providing that officers and employees not residing within the city...	Apr. 16, 1975	Case		2 F.2d
Cited by	96. Meyers v. Newport Consol. Joint School Dist. No. 56-415 639 P.2d 853, 856 , Wash.App. Div. 3 Provisional certified schoolteacher brought declaratory judgment action challenging nonrenewal of his teaching contract with school district for violating residency policy. The...	Jan. 19, 1982	Case		1 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	97. In re Reitz ¶ 191 N.W.2d 913, 918+ , Wis. Proceedings were instituted pursuant to statute authorizing removal of a dependent person, who is receiving relief elsewhere than at his place of settlement, if return to place of...	Nov. 30, 1971	Case		1 2 F.2d
Cited by	98. Watt v. Watt 971 P.2d 608, 615+ , Wyo. FAMILY LAW - Child Custody. Intrastate relocation by custodial parent cannot be considered change in circumstances for custody modification purposes.	Jan. 19, 1999	Case		2 F.2d
Cited by	99. Gerald L. Wilkerson The Honorable Carole J. Burger 1982 WL 43800 (Alaska A.G.), *7+ The Division of Legislative Audit has posed to this department two interpretation questions concerning the statutes establishing the Alaska Pioneers' Homes program. The Department...	Nov. 26, 1982	Administrative Decision		2 F.2d
Cited by	100. JOSEPH P. MCCOOL, Plaintiff, v. CITY OF PHILADELPHIA, ET AL., Defendants 38 PPER P 95	June 27, 2007	Administrative Decision		—
Mentioned by	101. Spencer v. Casavilla ¶ 44 F.3d 74, 76 , 2nd Cir.(N.Y.) Family of murder victim sued convicted murderers. The United States District Court for the Southern District of New York, 717 F.Supp. 1057, dismissed for failure to state federal...	Dec. 19, 1994	Case		2 F.2d
Mentioned by	102. Demiragh v. DeVos 476 F.2d 403, 404+ , 2nd Cir.(Conn.) Action for judgment declaring unconstitutional a municipal ordinance conditioning eligibility for welfare benefits on one year's residence in the city. The United States District...	Apr. 10, 1973	Case		1 F.2d
Mentioned by	103. Andre v. Board of Trustees of Village of Maywood 561 F.2d 48, 53 , 7th Cir.(Ill.) Action was brought by certain village employees challenging validity of the village ordinance requiring that all employees establish residency within village limits within...	July 27, 1977	Case		1 F.2d
Mentioned by	104. Drayton v. McIntosh County, Georgia 2016 WL 3443919, *11 , S.D.Ga. This case comes before the Court on two fully briefed motions to dismiss: The first has been filed by Defendants McIntosh County, Georgia (the "County"); McIntosh County Sheriff...	June 17, 2016	Case		—
Mentioned by	105. Rasmussen v. City of Lake Forest, Illinois 404 F.Supp. 148, 156 , N.D.Ill. Real estate developers brought an action against a city and others challenging the constitutionality of zoning ordinances prohibiting sale of lots of less than one and one-half...	Nov. 10, 1975	Case		1 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 106. Townes v. City of St. Louis 949 F.Supp. 731, 734 , E.D.Mo. Area resident brought action against city, challenging constitutionality of ordinance blocking access to street at one intersection. The District Court, Noce, United States...	Sep. 06, 1996	Case		1 F.2d
Mentioned by	107. Hill v. Housing Authority of Kansas City, Mo. 1974 WL 378042, *4 , W.D.Mo. It is ORDERED that plaintiff's motion for summary judgment is granted to the extent that a declaratory judgment shall be entered in plaintiff's favor under 28 U.S.C. § 2201 (1970),...	May 10, 1974	Case		1 F.2d
Mentioned by	108. Masri v. Thorsen 2020 WL 1489799, *9 , S.D.N.Y. Pro se Plaintiff Joseph H. Masri ("Plaintiff") brings this Action, pursuant to 42 U.S.C. § 1985(3) and New York State law, against Eric O. Thorsen ("Thorsen"), Thorsen Law Offices...	Mar. 27, 2020	Case		—
Mentioned by	109. Frasco v. Mastic Beach Property Owners' Ass'n 2014 WL 3735870, *6 , E.D.N.Y. Plaintiffs Frank Frasco ("Frasco"), Frank Fugarino ("F.Fugarino"), Donna Boble ("Boble"), Paul Breschard ("Breschard"), Nicholas Busa ("Busa"), Anthony D'Amico ("D'Amico"), Clement...	July 29, 2014	Case		—
Mentioned by	110. Janes v. Triborough Bridge and Tunnel Authority 977 F.Supp.2d 320, 332 , S.D.N.Y. GOVERNMENT - Highways and Roads. Toll policies did not interfere with natural functioning of the interstate market.	Oct. 16, 2013	Case		—
Mentioned by	 111. U.S. v. Arzberger 592 F.Supp.2d 590, 600 , S.D.N.Y. CRIMINAL JUSTICE - Bail. Bail conditions in child pornography case violated defendant's due process rights.	Dec. 31, 2008	Case		2 F.2d
Mentioned by	112. Williams v. Town of Greenburgh 2006 WL 8461745, *5 , S.D.N.Y. Plaintiff Charles Williams (herein, "Plaintiff") initiated the instant cause of action against the Town of Greenburgh, and the Commissioner and Deputy Commissioner of the...	Oct. 11, 2006	Case		—
Mentioned by	113. Patrolmen's Benev. Ass'n of City of New York, Inc. v. City of New York 2004 WL 3262798, *12 , S.D.N.Y. This civil rights suit against the City of New York and its Department of Finance ("DOF") (together, the "City") is brought by twelve municipal labor organizations...	Aug. 19, 2004	Case		1 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	114. Betancourt v. Giuliani 2000 WL 1877071, *5, S.D.N.Y. Augustine Betancourt ("Plaintiff") brings this action against Rudolph Giuliani, in his official capacity as Mayor of the City of New York, Howard Safir, in his official capacity...	Dec. 26, 2000	Case		2 F.2d
Mentioned by	115. Korenyi v. Department of Sanitation of City of New York 699 F.Supp. 388, 393, E.D.N.Y. Sanitation worker brought suit against department and city for alleged deprivations of constitutional and statutory rights. The District Court, Raggi, J., held that: (1) sick...	Sep. 16, 1988	Case		2 F.2d
Mentioned by	116. Besaw v. Affleck 333 F.Supp. 775, 781, D.R.I. Action to contest validity of residence requirement in welfare law. A three-judge District Court panel, Pettine, Chief Judge, held that statute denying public assistance benefits...	Nov. 11, 1971	Case		1 2 F.2d
Mentioned by	117. Caizza v. Caizza 291 So.2d 569, 571, Fla. Wife's petition for divorce was dismissed by the Circuit Court, Broward County, James F. Minnet, J., for failure to allege that wife had been a resident of the state for six months...	Mar. 13, 1974	Case		1 F.2d
Mentioned by	118. Wyman v. Inhabitants of Town of Skowhegan 464 A.2d 181, 185, Me. Plaintiffs appealed from judgment of the Superior Court, Somerset County, denying award of attorney's fees under the Civil Rights Attorneys Fees Award Act. The Supreme Judicial...	Aug. 10, 1983	Case		1 F.2d
Mentioned by	119. Kuhn v. City of East Detroit 213 N.W.2d 599, 601, Mich.App. City foreman sought declaration of constitutional validity of provision of city charter providing, with certain exceptions, that only bona fide residents of the city would be...	Nov. 02, 1973	Case		—
Mentioned by	120. THE HONORABLE JOHN SEYMOUR 68 Ops. Cal. Atty. Gen. 101, 101 THE HONORABLE JOHN SEYMOUR, MEMBER OF THE CALIFORNIA STATE SENATE, has requested an opinion on the following questions: 1. May a city authorize by ordinance "controlled access,"...	May 08, 1985	Administrative Decision		2 F.2d
—	121. ARE STATE WATERCRAFT INSPECTIONS CONSTITUTIONALLY PERMISSIBLE SEARCHES? 3 Ariz. J. Env'tl. L. & Pol'y 105, 121+ In response to the discovery of quagga and zebra mussels in the region, many Western states have developed and implemented watercraft inspection programs to prevent the transport...	2013	Law Review	—	2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
—	122. American Land Planning Law s 68:94, § 68:94. Eligibility for public assistance—Shapiro A Supreme Court case from a different area of law cast considerable light on the problem of exclusionary zoning. This case involved challenges on constitutional grounds to the...	2021	Other Secondary Source	—	1 F.2d
—	123. Federal Procedure, Lawyers Edition s 44:509, § 44:509. Civil rights action for deprivation of rights pertaining to low-income housing, generally While there is some authority that the civil rights statute which provides for the redress of the deprivation of any rights under the Constitution or laws of the United States,...	2023	Other Secondary Source	—	—
—	124. Gov. Discrim.: Equal Protection Law & Litig. s 11:5, § 11:5. Residency and travel—Durational residency Durational residency requirements, measuring the length of in-state residence as a test for exercising constitutional rights, such as the right to vote, speak, seek public office,...	2022	Other Secondary Source	—	1 F.2d
—	125. Housing Discrimination Law and Litigation s 28:6, § 28:6. Discrimination in government and government-supported housing—Equal protection: Nonracial claims In addition to racial discrimination, other types of discrimination that would violate the Fair Housing Act may also give rise to an equal protection claim. For example, the equal...	2023	Other Secondary Source	—	1 F.2d
—	126. Local Government Law s 18:15, § 18:15. Local public enterprises: In general; analytical framework—Public housing The purpose of public housing is to make decent, safe, and sanitary dwellings available to low-income families. Housing authorities are public instrumentalities carrying out public...	2023	Other Secondary Source	—	1 F.2d
—	127. State and Local Government Civil Rights Liability s 5:10, § 5:10. Governmental entities There is no doubt that governmental entities can be sued in cases under the Fair Housing Act. There are a number of situations in which it may be appropriate to name governmental...	2023	Other Secondary Source	—	—
—	128. Am. Jur. 2d Constitutional Law s 856, § 856. Fundamental rights in judicial review of classifications—Particular rights Am. Jur. 2d Constitutional Law Fundamental interests that must be protected by the stricter standards of reviewing classifications include: the right of procreation the right to marry the right to exercise First...	2023	Other Secondary Source	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>129. IMPLIED FUNDAMENTAL RIGHTS AND THE RIGHT TO TRAVEL WITH ARMS FOR SELF-DEFENSE: AN APPLICATION OF GLUCKSBERG TO ANGLO-AMERICAN HISTORY AND TRADITION</p> <p>69 Am. U. L. Rev. F. 69 , 104+</p> <p>The Supreme Court's decisions in District of Columbia v. Heller and McDonald v. City of Chicago affirmed that the Second Amendment protects an individual right to keep functional...</p>	2020	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>130. DON'T TREAD ON ME: WOULD A BRITISH SOLUTION TO ANTI-SOCIAL BEHAVIOR TRAMPLE THE U.S. BILL OF RIGHTS?</p> <p>48 Ariz. L. Rev. 639 , 667+</p> <p>Life in organized society and especially in populous communities involves an unavoidable clash of individual interests. Practically all human activities unless carried on in a...</p>	2006	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>131. VACCINE PASSPORTS AS A CONSTITUTIONAL RIGHT</p> <p>54 Ariz. St. L.J. 25 , 63+</p> <p>Does the U.S. Constitution guarantee a right to a vaccine passport? In the United States and elsewhere, vaccine passports have existed for over a century, but became politically...</p>	2022	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>132. LOCAL PREFERENCES IN AFFORDABLE HOUSING: SPECIAL TREATMENT FOR THOSE WHO LIVE OR WORK IN A MUNICIPALITY?</p> <p>36 B.C. Envtl. Aff. L. Rev. 207 , 238+</p> <p>Abstract: Local governments are increasingly granting preference to local residents and employees when selecting occupants for affordable housing set-asides. These preferences risk...</p>	2009	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>133. FREEDOM OF MOVEMENT AT A STANDSTILL? TOWARD THE ESTABLISHMENT OF A FUNDAMENTAL RIGHT TO INTRASTATE TRAVEL</p> <p>90 B.U. L. Rev. 2461 , 2495+</p> <p>Introduction. 2461 I. The Right to Interstate Travel. 2464 A. History & Precedent of the Right to Interstate Travel. 2465 B. Constitutional Sources of the Interstate Travel...</p>	2010	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>134. "AMERICA'S LOST CAUSE": THE UNCONSTITUTIONALITY OF CRIMINALIZING OUR COUNTRY'S HOMELESS POPULATION</p> <p>18 B.U. Pub. Int. L.J. 315 , 348+</p> <p>[The Constitution] was framed upon the theory that the peoples of the several states must sink or swim together, and that in the long run prosperity and salvation are in union and...</p>	2009	Law Review	—	<p>2</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>135. BETTER SEEN THAN HERDED: RESIDENCY RESTRICTIONS AND GLOBAL POSITIONING SYSTEM TRACKING LAWS FOR SEX OFFENDERS 16 B.U. Pub. Int. L.J. 285 , 311</p> <p>"We don't want anybody moving to town that is of that persuasion." -- Brick, N.J. Mayor Joseph C. Scarpelli "[W]hen you become a Level 3 sex offender, you give up all rights as...</p>	2007	Law Review	—	<p>2 F.2d</p>
—	<p>136. CAR CRUISING: ONE GENERATION'S INNOCENT FUN BECOMES THE NEXT GENERATION'S CRIME 41 Brandeis L.J. 1 , 14+</p> <p>"Well she got her daddy's car And she's cruising 'through the hamburger stand now Seems she forgot all about the library Like she told her old man now And with the radio blasting...</p>	2002	Law Review	—	<p>1 2 F.2d</p>
—	<p>137. IT'S NOT BLACK AND WHITE: SPENCER v. CASAVILLA AND THE USE OF THE RIGHT OF INTRASTATE TRAVEL IN SECTION 1985(3) 57 Brook. L. Rev. 473 , 524+</p> <p>The Second Circuit's decision in Spencer v. Casavilla recognized the right of intrastate travel and allowed it to be used for the first time in the context of a civil rights claim...</p>	1991	Law Review	—	<p>1 2 F.2d</p>
—	<p>138. HIDING HOMELESSNESS: THE TRANSCARCERATION OF HOMELESSNESS 109 Calif. L. Rev. 559 , 613</p> <p>Cities throughout the country respond to homelessness with laws that persecute people for surviving in public spaces, even when unsheltered people lack a reasonable alternative....</p>	2021	Law Review	—	<p>2 F.2d</p>
—	<p>139. THE UNCONSTITUTIONALITY OF "ANTIHOMELESS" LAW: ORDINANCES PROHIBITING SLEEPING IN OUTDOOR PUBLIC AREAS AS A VIOLATION OF THE RIGHT TO TRAVEL 77 Calif. L. Rev. 595 , 610+</p> <p>I just spent sixty days in the jailhouse For the crime of having no dough. Now here I am, back on the streets again, For the crime of having nowhere to go. The Band On June 4,...</p>	1989	Law Review	—	<p>1 2 F.2d</p>
—	<p>140. KEEPING THE HOME TEAM AT HOME 74 Calif. L. Rev. 1329 , 1372+</p> <p>In 1982, a federal district court judge ruled that the National Football League (NFL) could not prevent the Oakland Raiders from leaving Oakland to find a new home in Southern...</p>	1986	Law Review	—	<p>2 F.2d</p>
—	<p>141. INTRASTATE BANISHMENT: AN EXAMINATION AND ARGUMENT FOR STRICT SCRUTINY OF JUDICIALLY AND EXECUTIVELY IMPOSED BANISHMENT ORDERS 57 Case W. Res. L. Rev. 895 , 926+</p> <p>On November 26, 2002, seventy-two year old Marjorie Benner was found naked and dead in the bedroom of her Grays Harbor County, Washington home. The post-mortem medical examination...</p>	2007	Law Review	—	<p>2 F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>142. CURFEW LAWS, FREEDOM OF MOVEMENT, AND THE RIGHTS OF JUVENILES 50 Case W. Res. L. Rev. 681 , 700+</p> <p>In the early 1990s, the arrest rate for minors between the ages of ten and seventeen in the District of Columbia was the highest in the nation. Teens from the age of fifteen to...</p>	2000	Law Review	—	<p>1 2</p> <p>F.2d</p>
—	<p>143. ARRESTING THE HOMELESS FOR SLEEPING IN PUBLIC: A PARADIGM FOR EXPANDING THE ROBINSON DOCTRINE 29 Colum. J.L. & Soc. Probs. 293 , 335</p> <p>In recent years, at least thirty-nine American cities have initiated or continued policies that criminalize activities associated with homelessness. The prohibitions extend to the...</p>	1996	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>144. PERPETUATING SEGREGATION OR TURNING DISCRIMINATION ON ITS HEAD? AFFORDABLE HOUSING RESIDENCY PREFERENCES AS ANTI-DISPLACEMENT MEASURES 118 Colum. L. Rev. 833 , 874+</p> <p>Affordable housing residency preferences give residents of a specific geographic "preference area" prioritized access to affordable housing units within that geographic area....</p>	2018	Law Review	—	<p>1</p> <p>F.2d</p>
—	<p>145. SECURING ACCESS TO TRANSPORTATION FOR THE URBAN POOR 105 Colum. L. Rev. 503 , 536</p> <p>Prior to technological innovations allowing long-distance travel, there was little reason to venture far from home. But industrialization and labor specialization led to increased...</p>	2005	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>146. THE NEBULOUS RIGHT TO TRAVEL AS A POSSIBLE LIMITATION ON "CHILD SAFETY ZONES": THE GREENWICH SEX OFFENDER ORDINANCE 10 Conn. Pub. Int. L.J. 441 , 476+</p> <p>A proposed ordinance in Greenwich, Connecticut, (hereinafter "Greenwich Ordinance" or "Ordinance") involving sex offenders has caused some debate. The purpose of this Note is...</p>	2011	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>147. FOURTH AMENDMENT CHALLENGES TO "CAMPING" ORDINANCES: THE GOVERNMENT ACQUIESCENCE DOCTRINE AS A LEGAL STRATEGY TO FORCE LEGISLATIVE SOLUTIONS TO HOMELESSNESS 8 Conn. Pub. Int. L.J. 113 , 134+</p> <p>Municipal "camping ordinances" typically regulate or prohibit camping or sleeping in parks or other public areas. From a public safety perspective, such statutes safeguard...</p>	2008	Law Review	—	<p>1 2</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>148. DOCTRINAL RECONSTRUCTION: RECONCILING CONFLICTING STANDARDS IN ADJUDICATING JUVENILE CURFEW CHALLENGES</p> <p>85 Cornell L. Rev. 518 , 585+</p> <p>Introduction. 519 I. History and Development of Curfew Laws. 523 A. Curfew Development in the United States. 523 B. The U.S. Supreme Court Denies Certiorari: Bykofsky v....</p>	2000	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>149. ON THE ROAD AGAIN: HOW MUCH MILEAGE IS LEFT ON THE PRIVILEGES OR IMMUNITIES CLAUSE AND HOW FAR WILL IT TRAVEL?</p> <p>70 Fordham L. Rev. 187 , 253+</p> <p>In 1999, the Supreme Court dusted off an old, neglected constitutional clause, kicked its tires, revved its engine and drove it onto the constitutional highway for the first time...</p>	2001	Law Review	—	<p>1</p> <p>2</p> <p>F.2d</p>
—	<p>150. CAPPING UBER IN NEW YORK CITY: RAMIFICATIONS FOR RIDESHARES, THE ROAD, AND OUTER-BOROUGH RESIDENTS</p> <p>46 Fordham Urb. L.J. 942 , 1003</p> <p>Introduction. 943 I. The New York City Transportation Landscape in 2018. 946 A. New York City's New Local Laws: Background. 946 1. Four Years in the Making. 949...</p>	2019	Law Review	—	—
—	<p>151. ABOLISHING CITIZENSHIP: RESOLVING THE IRRECONCILABILITY BETWEEN "SOIL" AND "BLOOD" POLITICAL MEMBERSHIP AND ANTI-RACIST DEMOCRACY</p> <p>36 Geo. Immigr. L.J. 693 , 754+</p> <p>C1-2Table of Contents I. Introduction. 694 II. Citizenship as Racism and Anti-Democracy. 698 A. Citizenship as Race. 698 1. Race Becomes Citizenship. 700 2....</p>	2022	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>152. NOT IN ANYONE'S BACKYARD: ENDING THE "CONTEST OF NONRESPONSIBILITY" AND IMPLEMENTING LONG-TERM SOLUTIONS TO HOMELESSNESS</p> <p>2 Geo. J. on Fighting Poverty 163 , 208</p> <p>Over twenty-five years ago, Connecticut attempted to force indigents to relocate to other states by enacting legislation that denied the poor any welfare benefits during their...</p>	1995	Law Review	—	<p>1</p> <p>2</p> <p>F.2d</p>
—	<p>153. Transforming Section 8: Using Federal Housing Subsidies to Promote Individual Housing Choice and Desegregation</p> <p>30 Harv. C.R.-C.L. L. Rev. 451 , 486</p> <p>Ms. Griffin wants to move from her poor city neighborhood to the nearby suburbs. She is an African American single mother of two young children whose annual income from her job at...</p>	1995	Law Review	—	<p>1</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	154. IV. THE CONSTITUTIONAL RIGHTS OF PUBLIC EMPLOYEES 97 Harv. L. Rev. 1738 , 1756 Courts have long struggled to determine the extent to which public employees retain constitutional rights against their government employers. This overview describes some of the...	1984	Law Review	—	2 F.2d
—	155. 89 Harv. L. Rev. 87 89 Harv. L. Rev. 87 , 95 In 1969 the Supreme Court held in Shapiro v. Thompson that state durational residency requirements for receipt of welfare benefits violated the equal protection clause by...	1975	Law Review	—	1 F.2d
—	156. 2. DURATIONAL RESIDENCY REQUIREMENTS FOR HEALTH CARE FOR INDIGENTS 88 Harv. L. Rev. 112 , 119 The right of citizens to travel interstate has been recognized as a necessary implication of the federal system since the middle of the nineteenth century. In the cases which...	1974	Law Review	—	1 F.2d
—	157. 2. DETERMINATION OF ELIGIBILITY FOR RESIDENT TUITION RATES AT STATE UNIVERSITIES. 87 Harv. L. Rev. 67 , 75 In Vlandis v. Kline the Court struck down a durational residence requirement conditioning eligibility for "instate" university tuition rates on prior state citizenship. In May...	1973	Law Review	—	1 F.2d
—	158. JUVENILE CURFEWS AND FUNDAMENTAL RIGHTS METHODOLOGY 27 Hastings Const. L.Q. 775 , 797 In the 1990's, juvenile curfews became popular with municipal legislators. However, they were not greeted enthusiastically by all juveniles, and as a result, the constitutional...	2000	Law Review	—	2 F.2d
—	159. CONSTITUTIONAL COLLECTIVISM AND EX-OFFENDER RESIDENCE EXCLUSION LAWS 92 Iowa L. Rev. 1 , 40+ I. Introduction. 2 II. Fear and Loathing (in One's Own Backyard). 5 III. The Current Judicial Terrain and Its Consequences. 13 A. Doe v. Miller. 13 B. The National Consequences...	2006	Law Review	—	2 F.2d
—	160. WELCOME TO THE VILLAGE: AN ANALYSIS OF HOW ST. LOUIS COUNTY OCCUPANCY PERMIT SCHEMES PERPETUATE SEGREGATION AND VIOLATE THE CONSTITUTION 24 J. Affordable Housing & Community Dev. L. 211 , 248 I. Introduction. 213 A. St. Louis County, Missouri. 213 B. St. Louis County Occupancy Permits. 217 C. Origin and Development of the St. Louis County System. 221 D. Relationship to...	2015	Law Review	—	2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>161. ANILCA UNDER ATTACK: WILL THE RIGHT TO TRAVEL WREAK HAVOC WITH SUBSISTENCE RIGHTS? 9 J. Nat. Resources & Envtl. L. 167 , 187+</p> <p>It is unfortunate that the term "subsistence rights" was designated to describe the legal hunting and fishing rights of Alaska Native Americans. These "rights" entail more than...</p>	1994	Law Review	—	<p>1 2</p> <p>F.2d</p>
—	<p>162. WISCONSIN, A CONSTITUTIONAL RIGHT TO INTRASTATE TRAVEL, AND ANTI-CRUIISING ORDINANCES 78 Marq. L. Rev. 735 , 756+</p> <p>Too many high school kids, it seems, are piling into their parents' cars (or their own cars, in cases of extraordinary good fortune) and driving up and down Main Street all...</p>	1995	Law Review	—	<p>1 2</p> <p>F.2d</p>
—	<p>163. EXPULSION FROM TOWN RECREATION CENTER AND ARREST FOR TRESPASS DO NOT ADD UP TO CONSTITUTIONAL VIOLATION</p> <p>In Williams v. Town of Greenburgh, 2008 WL 2797004 (2d Cir. 2008) (decided July 22, 2008), a former employee filed a § 1983 action alleging that his expulsion from town's...</p>	2008	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>164. CONSEQUENCES OF SUPREME COURT DECISIONS UPHOLDING INDIVIDUAL CONSTITUTIONAL RIGHTS 83 Mich. L. Rev. 1 , 212</p> <p>C1-3TABLE OF CONTENTS INTRODUCTION. 4 I. COMPLEXITIES OF MEASUREMENT. 7 II. SOME ILLUSTRATIONS PRIOR TO 1935. 12 A. The Post-Civil War Period. 12 B. The 'Lochner' Era. 13 III. THE...</p>	1984	Law Review	—	<p>1</p> <p>F.2d</p>
—	<p>165. BOUNDARIES OF EXCLUSION 72 Mo. L. Rev. 1287 , 1314</p> <p>Dale Whitman is a giant in the field of property law. Generations of law students have read from his texts, hornbooks and treatises. I am honored to be invited to participate in...</p>	2007	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>166. JUVENILE CURFEWS AND THE BREAKDOWN OF THE TIERED APPROACH TO EQUAL PROTECTION 82 N.Y.U. L. Rev. 1857 , 1894</p> <p>In constitutional challenges to juvenile curfews, the "tiers of scrutiny" framework usually relied upon to resolve Equal Protection cases has failed to constrain courts'...</p>	2007	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>167. "YOU CAN'T BE HERE": THE HOMELESS AND THE RIGHT TO REMAIN IN PUBLIC SPACE 42 N.Y.U. Rev. L. & Soc. Change 309 , 318+</p> <p>In cities throughout the country, homeless individuals are continuously relocated from place to place and faced with the quandary that by engaging in basic life activities they are...</p>	2018	Law Review	—	<p>1 2</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>168. THE CONSTITUTIONAL RIGHT TO TRAVEL: ARE SOME FORMS OF TRANSPORTATION MORE EQUAL THAN OTHERS? 1 NW J. L. & Soc. Pol'y 213 , 213+</p> <p>"A rich man can choose to drive a limousine; a poor man may have to walk." So declared the Ninth Circuit in 1972, when walking was a common phenomenon in the United States. ...</p>	2006	Law Review	—	<p>2 F.2d</p>
—	<p>169. IRREGULAR PASSION: THE UNCONSTITUTIONALITY AND INEFFECTICACY OF SEX OFFENDER RESIDENCY LAWS 102 Nw. U. L. Rev. 307 , 341+</p> <p>"[C]ertain duties must be observed even towards those at whose hands you may have received unjust treatment. There is a limit to revenge and to punishment." Introduction. 308 I....</p>	2008	Law Review	—	<p>2 F.2d</p>
—	<p>170. THE CONSTITUTIONALITY OF ENJOINING CRIMINAL STREET GANGS AS PUBLIC NUISANCES 89 Nw. U. L. Rev. 212 , 267</p> <p>I. Introduction . 213 II. Antigang Injunctions in California . 217 A. The Antigang Injunctions: West Los Angeles, Burbank, Blythe Street, San Jose, Westminster, Oakland, and...</p>	1994	Law Review	—	<p>2 F.2d</p>
—	<p>171. TOWARD A CONSTITUTIONAL ANALYSIS OF THE RIGHT TO INTRASTATE TRAVEL 86 Nw. U. L. Rev. 820 , 857+</p> <p>The right to travel enjoys a long jurisprudential history. Indeed, the American experience is replete with examples of the importance of travel to the establishment of Western...</p>	1992	Law Review	—	<p>1 2 F.2d</p>
—	<p>172. PUBLIC HOUSING: CHOOSING AMONG FAMILIES IN NEED OF HOUSING 77 Nw. U. L. Rev. 700 , 728</p> <p>The waiting list for admission to public housing in one American city contains over fifty thousand names. Throughout the country, the number of families seeking public housing...</p>	1982	Law Review	—	<p>1 F.2d</p>
—	<p>173. BANISHMENT: STOPPING STALKERS AT THE COUNTY LINE 81 Notre Dame L. Rev. 1123 , 1147+</p> <p>For millions of Americans, stalking is a real problem with profound effects on their daily lives. Once thought to be a celebrity phenomenon, stalking has proven to figure...</p>	2006	Law Review	—	<p>1 F.2d</p>
—	<p>174. FEDERAL POWER TO THE RESCUE: THE USE OF § 1985(3) AGAINST ANTI-ABORTION PROTESTORS 67 Notre Dame L. Rev. 707 , 743</p> <p>--Randall Terry, Leader of Operation Rescue -- Molly Yard, former President, National Organization for Women The visceral debate over the right to abortion has divided the nation...</p>	1992	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	175. OHIO SUPREME COURT DECISIONS 28 Ohio N.U. L. Rev. 523 , 627 In August of 2001, the Supreme Court of Ohio decided Wampler v. Higgins. The court addressed the issue of "whether the Ohio Constitution's separate and independent protection for...	2002	Law Review	—	2 F.2d
—	176. THE SHADOW CRIMINAL LAW OF MUNICIPAL GOVERNANCE 62 Ohio St. L.J. 1409 , 1472 Although it often escapes attention, municipal governments possess significant authority to enact criminal laws consistent with their expansive home rule and police powers. In this...	2001	Law Review	—	2 F.2d
—	177. THE ROAD TO AUTONOMY 75 Okla. L. Rev. 815 , 859	2023	Law Review	—	—
—	178. CONSTITUTIONAL LAW: HUTCHINS V. DISTRICT OF COLUMBIA: THE CONSTITUTIONAL DILEMMA OVER JUVENILE CURFEWS 53 Okla. L. Rev. 717 , 735+ When judges are required, in interpreting and applying legislation, to balance the interests of a political community with the constitutional rights of individuals, they find...	2000	Law Review	—	2 F.2d
—	179. BALANCING POLICE ACTION AGAINST AN UNDERDEVELOPED FUNDAMENTAL RIGHT: IS THERE A RIGHT TO TRAVEL FREELY ON PUBLIC FORA? 114 Penn St. L. Rev. 667 , 676+ I. Introduction. 667 II. Background. 670 A. What is the Right to Travel?. 670 B. The Right to Intrastate Travel: A True Circuit Split?. 672 1. A Right to Commute. 674 ...	2009	Law Review	—	1 2 F.2d
—	180. RECENT DEVELOPMENTS IN THE SECOND CIRCUIT: EQUAL PROTECTION 24 QLR 365 , 374+ This article will examine several significant equal protection cases that were decided by the United States Court of Appeals for the Second Circuit during the past two and one half...	2006	Law Review	—	2 F.2d
—	181. RAMOS V. TOWN OF VERNON: SECOND CIRCUIT WEIGHS IN ON JUVENILE CURFEW DEBATE 23 QLR 1197 , 1237+ Hundreds of cities and towns across America have instituted juvenile curfew ordinances at some time or another. Both Bill Clinton and Bob Dole advocated juvenile curfews in their...	2005	Law Review	—	2 F.2d
—	182. INTERSTATE METRO-REGIONAL RESPONSES TO EXCLUSIONARY ZONING 27 Real Prop. Prob. & Tr. J. 49 , 142 Editors' Synopsis: The author analyzes traditional local, state, and federal responses to municipal exclusionary zoning and suggests that formal and informal interstate cooperation...	1992	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>183. FOURTH AMENDMENT CHALLENGES TO "CAMPING ORDINANCES": A LEGAL STRATEGY TO FORCE LEGISLATIVE SOLUTIONS TO HOMELESSNESS</p> <p>11 Rich. J.L. & Pub. Int. 1 , 7+</p> <p>Municipal "camping ordinances" typically regulate or prohibit camping or sleeping in parks and other public areas. From a public safety perspective, such statutes safeguard a...</p>	2008	Law Review	—	—
—	<p>184. CARPETBAGGER BATTLE CRY: SCRUTINIZING DURATIONAL RESIDENCY REQUIREMENTS FOR STATE AND LOCAL OFFICES</p> <p>13 Rutgers J. L. & Pub. Pol'y 242 , 259+</p> <p>Senator Ted Kennedy was more Massachusetts than clam chowder. Robert La Follette inspired more Wisconsin pride than Packers football. These favorite sons, and countless others like...</p>	2016	Law Review	—	<p>1</p> <p>F.2d</p>
—	<p>185. INDIVIDUAL RIGHTS--UNENUMERATED RIGHTS--ARE UNENUMERATED RIGHTS A VIABLE SOURCE FOR THE RIGHT TO INTRASTATE TRAVEL? WATT V. WATT, 971 P.2D 608 (WYO. 1999)</p> <p>31 Rutgers L.J. 1053 , 1069+</p> <p>In Watt v. Watt, the Supreme Court of Wyoming held unconstitutional the trial court's modification of a divorce decree changing primary custody due to the intrastate relocation of...</p>	2000	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>186. SMART GROWTH AND OTHER INFIRMITIES OF LAND USE CONTROLS</p> <p>38 San Diego L. Rev. 693 , 746+</p> <p>I. Introduction. 693 II. Smart Growth. 697 III. Legality of Smart Growth. 701 IV. Urban Sprawl. 715 V. Intrastate Travel. 729 VI. Zoning. 730 VII. The Private Market has the...</p>	2001	Law Review	—	<p>1</p> <p>2</p> <p>F.2d</p>
—	<p>187. PROSECUTION OR FORCED TRANSPORT: MANHATTAN BEACH'S UNCONSTITUTIONAL BANISHMENT OF THE HOMELESS</p> <p>93 S. Cal. L. Rev. Postscript 70 , 88</p> <p>It is apparent that an individual's decision to remain in a public place of his choice is as much a part of his liberty as the freedom of movement inside frontiers that is "a part..."</p>	2020	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>188. THE GOVERNMENT IS ESTABLISHING YOUR CHILD'S CURFEW</p> <p>21 St. John's J. Legal Comment. 797 , 835+</p> <p>"Be home by 10:00 p.m.!" is normally commanded of children by parents, not the law. However, while the thought of a modern-day town imposing a curfew instead of a parent may...</p>	2007	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>189. QUALITY OF LIFE - AT WHAT PRICE?: CONSTITUTIONAL CHALLENGES TO LAWS ADVERSELY IMPACTING THE HOMELESS</p> <p>10 St. John's J. Legal Comment. 89 , 121</p> <p>Communities nationwide are rethinking their approach to combating crime. Citizens overwhelmed by crime have demanded that the federal government assist them in their struggle to...</p>	1994	Law Review	—	<p>2</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>190. CONSIGNING WOMEN TO THE IMMEDIATE ORBIT OF A MAN: HOW MISSOURI'S RELOCATION LAW SUBSTITUTES JUDICIAL PATERNALISM FOR PARENTAL JUDGMENT BY FORCING PARENTS TO LIVE NEAR ONE ANOTHER</p> <p>54 St. Louis U. L.J. 1365 , 1437</p> <p>Shelly Osia had a simple request--she wanted to move with her children to a new residence thirty-two miles away. Shelly and her husband had been divorced for less than a year, and...</p>	2010	Law Review	—	—
—	<p>191. FEDERAL LAW--CIVIL RIGHTS--INDIVIDUALS OBSTRUCTING INGRESS AND EGRESS TO ABORTION FACILITIES DO NOT VIOLATE A WOMAN'S FEDERAL RIGHTS WITHIN 42 U.S.C. S 1985(3)</p> <p>25 St. Mary's L.J. 753 , 782</p> <p>Abortion clinics, joined with groups supporting legalized abortion, sued to enjoin Operation Rescue from demonstrating at facilities in the Washington, D.C., metropolitan area. ...</p>	1994	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>192. FIGHTING THE CRIMINALIZATION OF HOMELESSNESS: ANATOMY OF AN INSTITUTIONAL ANTI-HOMELESS LAWSUIT</p> <p>23 Stetson L. Rev. 467 , 496</p> <p>In November 1988, the Miami Chapter of the American Civil Liberties Union (ACLU) learned that the City of Miami, once again, planned to "sweep" homeless persons from the route of...</p>	1994	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>193. NOT IN MY BACKYARD: THE IMPLICATIONS OF SEX OFFENDER RESIDENCY ORDINANCES IN TEXAS AND BEYOND</p> <p>41 Tex. Tech L. Rev. 1235 , 1274</p> <p>In 2002, Gavin moved into a beautiful house in the suburbs of Dubuque, Iowa, with his wife and two children. For a while they were happy, but in 2005, an Iowa law forced Gavin out...</p>	2009	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>194. MICHIGAN KEEPS IT WITHIN LIMITS: RELOCATION NO MORE THAN "100 MILES"</p> <p>20 T.M. Cooley L. Rev. 547 , 604</p> <p>"[W]ords in a statute 'take[] color from [their] surroundings . . . in the statute where [they] appear[],' and 'derive[] meaning from the context of that statute, which must be...</p>	2003	Law Review	—	—
—	<p>195. HUNTINGTON, NEW YORK'S SEX OFFENDER POLICY AND THE INTRASTATE RIGHT TO TRAVEL</p> <p>26 Touro L. Rev. 145 , 173+</p> <p>"The strictest law sometimes becomes the severest injustice." Benjamin Franklin Sex offenders are among the most loathed and detested members of our society. Over the past...</p>	2010	Law Review	—	<p>2</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	196. TOWNS WITHOUT PITY: A CONSTITUTIONAL AND HISTORICAL ANALYSIS OF OFFICIAL EFFORTS TO DRIVE HOMELESS PERSONS FROM AMERICAN CITIES 66 Tul. L. Rev. 631 , 676+ I. Introduction. 632 II. Historical Background. 635 III. Contemporary Efforts to Expel the Homeless. 645 IV. Constitutional Challenges to Homeless Arrests. 648 A. The Right to...	1992	Law Review	—	—
—	197. SEX OFFENDERS AND THE CITY: BAN ORDERS, FREEDOM OF MOVEMENT, AND DOE V. CITY OF LAFAYETTE 36 U.C. Davis L. Rev. 297 , 329+ Introduction. 298 I. Background. 301 A. Substantive Due Process Analysis. 302 B. Liberty Interest in Freedom of Movement. 307 1. Fundamental Rights in a Substantive Due...	2002	Law Review	—	1 2 F.2d
—	198. INTERNATIONAL TRAVEL AND THE CONSTITUTION 56 UCLA L. Rev. 271 , 350 This Article makes the case for the fundamental right of U.S. citizens to leave their country and return home again. Surprisingly, Americans do not enjoy such a fundamental right....	2008	Law Review	—	2 F.2d
—	199. CHALLENGING RENT CONTROL: STRATEGIES FOR ATTACK 34 UCLA L. Rev. 149 , 174 Few issues have polarized public opinion during the 1970s and 1980s like rent control. Depending upon one's point of view, the words "rent control" may conjure up images of...	1986	Law Review	—	1 2 F.2d
—	200. EUROPEAN LESSONS IN HIGHER EDUCATION 1992 U. Chi. Legal F. 539 , 557 Every state in the United States requires nonresidents to pay more tuition than residents to attend state-supported colleges and universities. Traditionally, United States courts...	1992	Law Review	—	1 F.2d
—	201. BAN LISTS: CAN PUBLIC HOUSING AUTHORITIES HAVE UNWANTED VISITORS ARRESTED? 2004 U. Ill. L. Rev. 1223 , 1260 Public housing developments are overwhelmed by drug sales and incidents of gun violence that often involve nonresident visitors. In an attempt to deal with housing development...	2004	Law Review	—	2 F.2d
—	202. EMINENT DOMAIN AND THE COMMERCE CLAUSE DEFENSE: CITY OF OAKLAND v. OAKLAND RAIDERS 41 U. Miami L. Rev. 1185 , 1221 I. introduction. 1185 II. facts and procedure. 1186 III. background. 1189 A. The Power of Eminent Domain. 1189 1. PROPERTY SUBJECT TO CONDEMNATION. 1191 2. PUBLIC USE....	1987	Law Review	—	2 F.2d

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>203. CITY OF BROTHERLY LOVE?: USING THE FOURTEENTH AMENDMENT TO STRIKE DOWN AN ANTI-HOMELESS ORDINANCE IN PHILADELPHIA</p> <p>3 U. Pa. J. Const. L. 540 , 572</p> <p>I wish the rent was heaven sent. As the nation continues to experience unprecedented economic growth, the unemployment rate sits at the lowest level in thirty years, and the stock...</p>	2001	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>204. ENSLAVED CONSTITUTION: OBSTRUCTING THE FREEDOM TO TRAVEL</p> <p>70 U. Pitt. L. Rev. 233 , 275</p> <p>Does the Constitution protect a citizen's intra-state travel (within a state) from unjustified state prohibition? To date, the Supreme Court has not ruled directly on the issue,...</p>	2008	Law Review	—	<p>1</p> <p>F.2d</p>
—	<p>205. IS PENNSYLVANIA'S STALKING LAW CONSTITUTIONAL?</p> <p>56 U. Pitt. L. Rev. 205 , 244</p> <p>I. Introduction. 205 II. Stalking Behavior. 207 III. The First Amendment and The Two Track Analysis. 210 IV. Pennsylvania's Stalking Law and the First Amendment. 212 A.Expressive...</p>	1994	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>206. CONSTITUTIONAL IMPLICATIONS OF ACQUISITION-VALUE REAL PROPERTY TAXATION: ASSESSING THE BURDENS ON TRAVEL AND COMMERCE</p> <p>1994 Utah L. Rev. 1027 , 1105</p> <p>This Article addresses constitutional issues raised by systems of real property taxation that base a property owner's tax assessment not on the current value of the property but on...</p>	1994	Law Review	—	<p>1</p> <p>2</p> <p>F.2d</p>
—	<p>207. WHEN THE OPEN ROAD IS CLOSED TO JUVENILES: THE CONSTITUTIONALITY OF JUVENILE CURFEW LAWS AND THE INCONSISTENCIES AMONG THE COURTS</p> <p>37 Val. U. L. Rev. 831 , 878+</p> <p>[A]ll reasonable people believe that minors should not be roaming the street at all hours of the night. Most reasonable people would also agree that the state has a legitimate...</p>	2003	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>208. CONSTITUTIONAL LAW--CRUISING FOR A BRUISING--AN ATTACK ON THE RIGHT TO INTERSTATE TRAVEL</p> <p>36 Vill. L. Rev. 997 , 1017+</p> <p>The United States Supreme Court has consistently held that there is a constitutionally protected fundamental right to interstate travel, but has never decided whether this right...</p>	1991	Law Review	—	<p>1</p> <p>2</p> <p>F.2d</p>
—	<p>209. THE CHANGING MEANING OF EQUALITY IN TWENTIETH-CENTURY CONSTITUTIONAL LAW</p> <p>52 Wash. & Lee L. Rev. 3 , 103</p> <p>I. Introduction II. Equality as the Protection of Ethnic and Cultural Minorities A. European Minorities in the Aftermath of World War I B. The Attainment of Political Power by...</p>	1995	Law Review	—	<p>1</p> <p>F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>210. SHIFTING AUTOMOTIVE LANDSCAPES: PRIVACY AND THE RIGHT TO TRAVEL IN THE ERA OF AUTONOMOUS MOTOR VEHICLES 50 Wash. U. J.L. & Pol'y 147 , 151+</p> <p>"Travel, in the younger sort, is a part of education; in the elder, a part of experience." Time has proven these words, penned by noted English attorney and philosopher Francis...</p>	2016	Law Review	—	—
—	<p>211. WRONG TURNS: A CRITIQUE OF THE SUPREME COURT'S RIGHT TO TRAVEL CASES 21 Wm. Mitchell L. Rev. 457 , 484</p> <p>Ye Shall have one manner of law, as well for the stranger, as for one of your own country I. INTRODUCTION. 457 II. A BRIEF HISTORY OF THE RIGHT TO TRAVEL. 458 III. THE REHNQUIST...</p>	1995	Law Review	—	<p>2 F.2d</p>
—	<p>212. CHILDREN OF DISTANT FATHERS: SKETCHING AN ETHOS OF CONSTITUTIONAL LIBERTY 1985 Wis. L. Rev. 1305 , 1357</p> <p>—W.H. AUDEN In this article, Professor Gene R. Nichol argues for a constitutional right to self-governance that legitimizes the court's inquiry into the nature of fundamental...</p>	1985	Law Review	—	—
—	<p>213. THE CRIME OF "CAUSING TRAFFIC": CAN THE CRIMINAL CIVIL RIGHTS STATUTES TARGET PUBLIC CORRUPTION? 36 Yale L. & Pol'y Rev. 523 , 538</p> <p>An unlikely statutory candidate has recently emerged to aid the federal prosecution of state and local public corruption: the criminal civil rights statutes. In the wake of newly...</p>	2018	Law Review	—	—
—	<p>214. DOWNWARD SPIRAL: HOMELESSNESS AND ITS CRIMINALIZATION 14 Yale L. & Pol'y Rev. 1 , 63+</p> <p>A city council recently developed a policy that homeless residents "are no longer welcome in the City." City memoranda describe a plan "continually [to] remov[e] [homeless...</p>	1996	Law Review	—	<p>1 2 F.2d</p>
—	<p>215. CONTROLLING CHRONIC MISCONDUCT IN CITY SPACES: OF PANHANDLERS, SKID ROWS, AND PUBLIC-SPACE ZONING 105 Yale L.J. 1165 , 1248</p> <p>C1-3Contents I. Introduction . 1167 II. Chronic Nuisances in Public Spaces . 1173 A. The Tragedy of the Agora . 1174 B. The Concept of a Chronic Street Nuisance . 1175 1. Harms...</p>	1996	Law Review	—	<p>1 F.2d</p>
—	<p>216. MUNICIPAL EMPLOYEE RESIDENCY REQUIREMENTS AND EQUAL PROTECTION 84 Yale L.J. 1684 , 1704+</p> <p>Municipal employees in many American cities must reside in the city or county as a condition of employment. The residency restrictions are sometimes imposed by state statute, but...</p>	1975	Law Review	—	<p>1 F.2d</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>217. PUSHED OUT AND LOCKED IN: THE CATCH-22 FOR NEW YORK'S DISABLED, HOMELESS SEX-OFFENDER REGISTRANTS 129 Yale L.J. Forum 279 , 323</p> <p>DOCCS refuses to release prisoners to community supervision without an approved address. But for prisoners required to register as "sex offenders," finding housing means...</p>	2019	Law Review	—	<p>2</p> <p>F.2d</p>
—	<p>218. P 282,009 MEMORIAL HOSPITAL ET AL. V. MARICOPA COUNTY ET AL. Health Care Compliance Reporter</p> <p>415 U.S. 250 MEMORIAL HOSPITAL ET AL. v. MARICOPA COUNTY ET AL. MEMORIAL HOSPITAL v. MARICOPA COUNTY, 415 U.S. 250 (1974) APPEAL FROM THE SUPREME COURT OF ARIZONA. No. 72—847....</p>	1974	Other Secondary Source	—	<p>1</p> <p>F.2d</p>
—	<p>219. P 134,732 EVERYBODY COUNTS, INC., ET AL., PLAINTIFFS, V. NORTHERN INDIANA REGIONAL PLANNING COMMISSION, ET AL., DEFENDANTS. Labor & Employment Law</p> <p>case 2:98-cv-00097-PPS-APR filed Mar. 30, 2006U.S. District Court, N.D. Indiana EVERYBODY COUNTS, INC., et al., Plaintiffs, v. NORTHERN INDIANA REGIONAL PLANNING COMMISSION, et...</p>	2006	Other Secondary Source	—	—