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Musco Propane, LLP v. Town of Wolcott Planning and Zoning Com'n

United States Court of Appeals, Second Circuit - September 3, 2013 - Fed.Appx. - 2013 WL 4711633

Propane distributor brought suit against town, claiming that its rights under the First Amendment and the Equal Protection and Due Process Clauses of the Fourteenth Amendment were violated when the town denied it certain zoning permits and issued a Cease and Desist Order requiring it to halt its wholesaling of propane.

The court concluded that propane distributor had failed to adduce sufficient evidence from which a rational juror could conclude that the actions of the defendants amounted to a violations of its rights under the Constitution of the United States.

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