

Bond Case Briefs

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MEC, Incorporated v. Lowndes County Board of Supervisors

United States Court of Appeals, Fifth Circuit - January 11, 2019 - Fed.Appx. - 2019 WL 181184

Adult entertainment club subject to county ordinance restricting business hours brought action against county, after initially appealing county's decision to deny an exemption in state court, arguing that ordinance amounted to an unlawful taking and was a violation of due process rights.

The United States District Court for the Northern District of Mississippi granted county's motion for summary judgment. Club appealed.

The Court of Appeals held that:

- Identities of subject matter and cause of action were met, as required for res judicata to apply;
- State court entered final judgment on merits, as required for res judicata to apply; and
- Club had full and fair opportunity to litigate its challenge in state court, and thus doctrine of res judicata applied.