

# **Bond Case Briefs**

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## **MUNICIPAL ORDINANCE - TEXAS**

### **Levy v. City of El Paso**

**United States District Court, W.D. Texas, El Paso Division - August 30, 2013 - Slip Copy - 2013 WL 4677923**

Appearing pro se, Plaintiffs filed a complaint raising several constitutional claims and several state law claims relating to city's enforcement of certain municipal ordinances governing property maintenance. In particular, Plaintiffs alleged that the city ordered discontinuation of electrical service at a home owned by Plaintiffs in violation of substantive and procedural due process, and that the city's adoption of the Vacant Building Ordinance gives the city "arbitrary and discriminatory power to limit a property owner's use of his or her property." Plaintiffs also alleged that criminal proceedings initiated by the city against Plaintiffs pursuant to the same municipal ordinances constituted the torts of malicious prosecution and abuse of process, and that city's actions against Plaintiffs constituted both intentional infliction of emotional distress and civil conspiracy.

The court disagreed, granting city's motion to dismiss.