

Bond Case Briefs

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STATUTE OF LIMITATIONS - NEBRASKA

Lindner v. Kindig

Supreme Court of Nebraska - May 27, 2016 - N.W.2d - 293 Neb. 661 - 2016 WL 3036328

Resident brought action against city and its mayor seeking declaration that ordinance creating off-street parking district adjoining store was unconstitutional.

The District Court dismissed action on limitations grounds. Resident appealed. The Supreme Court reversed and remanded. On remand, the District Court granted summary judgment for city and mayor. Resident appealed.

The Supreme Court of Nebraska held that:

- A constitutional claim can become time-barred just as any other claim, and
- Four-year catchall limitations period applied to action.

Four-year catchall limitations period applied to action brought by resident against city and its mayor seeking declaration that ordinance creating off-street parking district adjoining store was unconstitutional.