

2002

## American Bush v. South Salt Lake : Unknown

Utah Supreme Court

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### Recommended Citation

Legal Brief, *American Bush v. South Salt Lake*, No. 20020117.00 (Utah Supreme Court, 2002).  
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**FILED**  
UTAH SUPREME COURT

NOV 25 2002

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November 20, 2002

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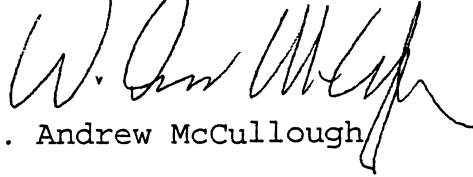
**RE: American Bush, et al. v. South Salt Lake,**  
**Appeal No. 20020117SC**

Dear Pat:

This is a citation of supplemental authority pursuant to Rule 24(i) of the Utah Rules of Appellate Procedure. In its brief, Defendant argues that the law at issue enjoys a strong presumption of constitutionality. On November 18, 2002, the Tenth Circuit Court of Appeals decided Z.J Gifts D-4 v. City of Littleton, Case No. 01-1220. In that case, the court stated "when a law infringes on First Amendment rights, however, the proponent of the law bears the burden of establishing its constitutionality. The Tenth Circuit cited its earlier case of Wilson v. Stocker, 819 F.2d 943, 949 (10<sup>th</sup> Cir. 1987) for that proposition. Appellants believe that the law at issue in this matter is not entitled to a presumption of constitutionality, and believe this authority strengthens that position.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "W. Andrew McCullough". The signature is fluid and cursive, with a large initial "W" and a long, sweeping tail.

W. Andrew McCullough

WAM: av

cc: David M. Carlson, Esq.  
Scott Bergthold, Esq.  
Clients