

**17-647 KNICK V. SCOTT, PA**

DECISION BELOW: 862 F.3d 310

LOWER COURT CASE NUMBER: 16-3587

QUESTION PRESENTED:

Whether the Court should reconsider the portion of *Williamson County Regional Planning Commission v. Hamilton Bank*, 473 U.S. 172, 194-96 (1985), requiring property owners to exhaust state court remedies to ripen federal takings claims, as suggested by Justices of this Court? See *Arrigoni Enterprises, LLC V. Town of Durham*, 136 S. Ct. 1409 (2016) (Thomas, J., joined by Kennedy, J., dissenting from denial of certiorari); *San Remo Hotel, L.P. v. City and County of San Francisco*, 545 U.S. 323, 348 (2005) (Rehnquist, C.J., joined by O'Connor, Kennedy, and Thomas, JJ., concurring in judgment).

Alternately, whether *Williamson County's* ripeness doctrine bars review of takings claims asserting that a law causes an unconstitutional taking on its face as the Sixth, Ninth, Tenth and now Third Circuits hold, or whether facial claims are exempt from *Williamson County*, as the First, Fourth, and Seventh Circuits hold?

GRANTED LIMITED TO QUESTION 1 PRESENTED BY THE PETITION.

ORDER OF 11/2/2018: CASE IS RESTORED TO THE CALENDAR FOR REARGUMENT.

THE PARTIES AND THE SOLICITOR GENERAL ARE DIRECTED TO FILE LETTER BRIEFS . . . ADDRESSING PETITIONER'S ALTERNATIVE ARGUMENT FOR VACATUR . . .

CERT. GRANTED 3/5/2018