

Federal court refuses to re-hear case over dog's shooting

POSTED 9:27 AM, APRIL 10, 2018, BY BEN WINSLOW



SALT LAKE CITY — A federal appeals court has rejected another attempt to re-consider a lawsuit over the shooting death of a dog.

The 10th U.S. Circuit Court of Appeals rejected an en banc request to re-hear Sean Kendall's lawsuit against Salt Lake City police over the 2014 shooting of his dog, Geist. An "en banc" hearing would have the entire panel of judges from the Denver-based appeals court consider the case.

That leaves Kendall with only one other option: to ask the U.S. Supreme Court to consider it. Kendall's attorney, Rocky Anderson, told FOX 13 he would take it to the nation's top court.

Kendall sued SLCPD over the death of Geist. An officer looking for what he believed was a missing child went into Kendall's backyard where he encountered the startled dog. Geist was shot and killed by the officer and the shooting sparked protests. Anderson has argued the officer's actions by walking into the backyard was a violation of Kendall's Fourth Amendment rights.

The case wound its way through the federal and state courts.

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