

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 09-3436

Arlo W. Remmen; Ashland Salvage, Inc., a Nebraska Corporation,	*	
	*	
	*	
Appellants,	*	Appeal from the United States
	*	District Court for the
v.	*	District of Nebraska.
	*	
City of Ashland, Nebraska, et al.,	*	[UNPUBLISHED]
	*	
Appellees.	*	

Submitted: April 29, 2010
Filed: May 4, 2010

Before LOKEN, BYE, and SHEPHERD, Circuit Judges.

PER CURIAM.

Arlo W. Remmen and Ashland Salvage, Inc., appeal the district court's¹ dismissal of their 42 U.S.C. § 1983 claims arising out of a longstanding land use and zoning dispute over their operation of a junk and salvage yard in Ashland, Nebraska. Reviewing the dismissal de novo, we conclude that appellants' constitutional takings,

¹The HONORABLE RICHARD G. KOPF, United States District Judge for the District of Nebraska.

due process, and equal protection claims were properly dismissed for the reasons stated by the district court in its Memorandum and Order dated September 18, 2009. We further conclude that the court did not abuse its discretion in denying appellants' belated request for leave to amend. See In re 2007 Novastar Fin. Inc., Sec. Litig., 579 F.3d 878, 884-85 (8th Cir. 2009). Accordingly, we affirm. See 8th Cir. R. 47B.
