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(S.D.)-Sturgis Adult Store Owner Wins Battle

By: Chris Fankhauser Posted at: 03/13/2013 07:12 AM

STURGIS, S.D. (AP) - The owner of an adult entertainment store in Sturgis says he has no plans to move the business now that a federal judge has ruled the western South Dakota city violated his rights.

Judge Jeffrey Viken said city employees' decisions concerning Dick and Jane's Naughty Spot were based on vague zoning regulations and were not constitutionally sound. City officials didn't comment on the ruling.

Business owner David Eliason last spring agreed to move his business to a new, approved site in a deal with prosecutors who had charged him with violating a state law limiting where adult-theme businesses can be located. Eliason later decided to fight in court.

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