

Shepard's Citations (from LexisNexis Academic)

Signal Legend:

-  - Warning: Negative treatment is indicated
 -  - Questioned: Validity is questioned by citing references
 -  - Caution: Possible negative treatment
 -  - Positive treatment is indicated
 -  - Citing references with analysis is available
 -  - Citation information is available
- * Click any *Shepard's* editorial treatment code (e.g., distinguished, questioned) to view its definition.

RED STOP SIGNS:

A FEW SHEPARD'S SIGNALS INDICATE A SERIOUS PROBLEM WITH USING THE CASE, STATUTE, OR OTHER PRIMARY LAW.

Affirmed in part and reversed in part by	An appellate court has upheld part of the judgment of the lower court or agency in the case you are SHEPARDIZING(TM) but has overturned the remainder of the judgment. That part of the lower court decision being overturned should no longer be considered good law. SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)
Amended and repealed by	The citing reference, typically a session law or other record of legislative action, alters the statute you are SHEPARDIZING(TM) through amendment and repeal. SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)
Modified in part and reversed in part by	An appellate court has modified part of the judgment of the lower court in the case you are SHEPARDIZING(TM) and has overturned the remainder of it. SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)
Overruled as stated in	The decision of the case you are SHEPARDIZING(TM) has been completely overruled by a subsequent decision from the same court, according to opinion of the citing case, thereby casting doubt on the precedential value of the case you are

Repealed by	SHEPARDIZING(TM). SHEPARD'S Signal: Warning The citing reference, typically a session law or other record of legislative action repeals or abrogates the statute, regulation or order you are SHEPARDIZING(TM). SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)
Rescinded in part by	The citing reference, typically a session law or other record of legislative action, revokes or rescinds in part the statute you are SHEPARDIZING(TM). SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)
Reversed by	On appeal, reconsideration or rehearing, the citing case reverses the case you are SHEPARDIZING(TM). SHEPARD'S Signal: Warning Negative treatment is indicated (Red)
Revoked by	For administrative actions, the citing reference, typically a record of administrative action, revokes or rescinds the regulation or order you are SHEPARDIZING(TM). For case law, a court has annulled or vacated its decision in the case you are SHEPARDIZING(TM) and the language "revoked" is specifically used. SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)
Superseded by	On appeal, reconsideration or rehearing, the citing case supersedes or is substituted for the case you are SHEPARDIZING(TM). In California, the Supreme Court has reviewed the decision of the appellate court in the case you are SHEPARDIZING(TM). SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)
Vacated by	The citing case vacates or withdraws the case you are SHEPARDIZING(TM). SHEPARD'S Signal: Warning - Negative treatment is indicated (Red)

YELLOW “Q” SIGNS:

ONE SHEPARD'S SIGNAL INDICATES A POSSIBLE SERIOUS PROBLEM WITH USING THE CASE, STATUTE, OR OTHER PRIMARY LAW. WATCH OUT.

Questioned by

The citing opinion questions the continuing validity or precedential value of the case you are SHEPARDIZING(TM) because of intervening circumstances, including judicial or legislative overruling. LexisNexis used to carry this signal under the red stop sign. Current Shepard's signal: Warning

YELLOW WARNING SIGNS:

A FEW SHEPARD SIGNALS INDICATE THAT CAUTION IS NECESSARY IN USING THE CASE, STATUTE, OR OTHER PRIMARY LAW. HOWEVER, THESE REFERENCES MAY BE USED AS PRECEDENT.

Added	The citing reference, typically a session law or other record of legislative action, or a record of administrative action, adds new matter to the statute, rule, regulation or order you are SHEPARDIZING(TM). SHEPARD'S Signal: Caution - Possible negative treatment
Affirmed in part and remanded in part by	An appellate court has upheld part of the judgment of the lower court or agency in the case you are SHEPARDIZING(TM) and has returned the remainder of the judgment to the lower court for further proceedings. SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)
Amended by	For statutes, regulations or administrative rulings, the citing reference amends or alters the statute, regulation or order you are SHEPARDIZING(TM). For case law, a court has changed or improved its own judgment, order or opinion in the case you are SHEPARDIZING(TM) generally by means of additions or deletions, thereby limiting the validity or precedential value of the case you are SHEPARDIZING(TM). SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)
Criticized by	The citing opinion disagrees with the reasoning/result of the case you are SHEPARDIZING(TM), although the citing court may not have the authority to materially affect its precedential value. SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)
Distinguished by	The citing case differs from the case you are SHEPARDIZING(TM), either involving dissimilar facts or requiring a different application of the law. SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)
Limited by	In case law, the citing opinion restricts the

	application of the case you are SHEPARDIZING(TM), finding its reasoning applies only in specific, limited circumstances. For statutes, regulations or administrative rulings, the citing reference refuses to extend the statute, regulation or order you are SHEPARDIZING(TM). SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)
Modified by	A phrase used to indicate that a court has modified or changed the judgment, order or opinion in the case you are SHEPARDIZING(TM) and does not characterize the change as an amendment, correction or alteration. Also this phrase is used in tax cases to indicate that the substance of the Revenue Ruling or Revenue Procedure you are SHEPARDIZING(TM) has been changed by the cited Revenue Ruling or Revenue Procedure. SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)
Modified by	The citing reference, typically a session law or other record of legislative action, or a record of administrative action, modifies the statute, regulation or order you are SHEPARDIZING(TM). SHEPARD'S Signal: Caution Possible negative treatment (Yellow)
Remanded by	An appellate court has returned the case you are SHEPARDIZING(TM) to the lower court for entry of proper judgment, for a new trial or for some other further proceeding. There will likely be a subsequent judgment, order or opinion by the lower court indicating its disposition of the case. SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)
US Supreme Court certiorari granted by	The citing order by the U.S. Supreme Court grants certiorari in the case you are SHEPARDIZING(TM). SHEPARD'S Signal: Caution Possible negative treatment (Yellow)
Writ of certiorari granted	A higher court has exercised its discretion to accept or hear an appeal from the lower

court in the case you are SHEPARDIZING(TM), by agreeing to issue a writ of certiorari, a common law process requiring the lower court to produce a certified record of the case decided therein for purposes of appellate review. There will likely be a subsequent order or opinion by the higher court to indicate its disposition of the appeal. SHEPARD'S Signal: Caution - Possible negative treatment (Yellow)

GREEN "ALL'S CLEAR" SIGN":

A FEW SHEPARD SIGNALS TELL US, "THIS IS GREAT LAW! USE IT!"

Affirmed by

On appeal, reconsideration or rehearing, the citing case affirms or adheres to the case you are SHEPARDIZING(TM). SHEPARD'S Signal: Positive treatment is indicated (Positive)

Followed by

The citing opinion relies on the case you are SHEPARDIZING(TM) as controlling or persuasive authority. SHEPARD'S Signal: Positive treatment is indicated (Positive)

(THE BLUE SIGNS ARE ALSO USEABLE LAW--THEY INCLUDE EXTRA ANALYSIS AND CITATION INFORMATION.)

NEUTRAL SIGNALS:

By an equally divided Court at	A phrase used when an appellate court cannot reach a clear consensus and ends up split on an issue, to indicate in accordance with Bluebook rules that the decision in the case you are SHEPARDIZING(TM) is not upheld by the single, clear holding of a majority of the appellate court.
Certiorari or review denied by	The citing order denies certiorari or review in the case you are SHEPARDIZING(TM).
Harmonized by	The citing case differs from the case you are SHEPARDIZING(TM), but the citing court reconciles the difference or inconsistency in reaching its decision.
Same case at	The citing case involves the same litigation as the case you are SHEPARDIZING(TM), but at a different stage of the proceedings.
Valid/Depublished	The citing case, which has been ordered depublished, upholds the validity of the statute, rule, regulation or order you are SHEPARDIZING (TM).
Writ of certiorari denied	The citing order denies writ of certiorari in the case you are SHEPARDIZING(TM).