

# Two men convicted under Ogden's old gang injunction settle lawsuit with city

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A lawsuit filed against Ogden by two men implicated in a now-defunct anti-gang injunction, which gave gang members a curfew and forbade them to associate with one another in public, was settled Wednesday.

The civil rights lawsuit was filed in 2015 on behalf of Leland McCubbin and Daniel Lucero by the American Civil Liberties Union of Utah. They also sued Weber County.

McCubbin said he was convicted of violating the county-wide injunction even though he'd left a gang two years before the injunction began. Lucero was convicted of violating the injunction despite never being in a gang.

The Utah Supreme Court voided the injunction in October 2013, ruling the county didn't properly serve summons to gang members.

Attorneys for Ogden and the ACLU of Utah settled the case Wednesday, according to an ACLU news release, which didn't outline the terms of the settlement. It said the parties agreed to terms that "mutually resolve disputes about the application of the prior gang injunction" and are favorable to both sides.

Representatives from the ACLU of Utah didn't immediately respond to The Salt Lake Tribune's request for comment, and lawyer for the city declined to comment on the settlement. McCubbin and Lucero's lawsuit against Weber County is pending.