

Bond Case Briefs

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MUNICIPAL ORDINANCE - MISSOURI

Wilson v. City of St. Louis

Supreme Court of Missouri, en banc - January 14, 2020 - S.W.3d - 2020 WL 203137

Recipients of parking citations brought action against city, state, and various state and city officials, challenging the constitutionality of parking statutes and city parking fine ordinances, and seeking injunctive relief.

City filed cross-claim against state. The Circuit Court granted partial summary judgment in favor of plaintiffs and in favor of the city on its cross-claim. State and officials appealed.

On transfer from the Court of Appeals, the Supreme Court held that:

- Order granting declaratory relief in favor of recipients did not qualify as “judgment” eligible for immediate appeal, and
- Orders granting injunctive relief from parking statutes and granting summary judgment on city’s cross-claim were not eligible for certification to allow immediate appeal.

Circuit Court order granting declaratory relief in favor of recipients of parking citations did not fully resolve any claim, and thus, did not qualify as a “judgment,” as required to be eligible for certification as final judgment to allow for immediate appeal, in action against city, state, and various state and city officials, challenging the constitutionality of parking statutes and city parking fine ordinances, where order did not address portion of claim seeking injunctive relief.

Circuit Court orders granting injunctive relief from parking statutes and granting summary judgment in favor of city on its cross-claim were not eligible for certification to allow immediate appeal, in action against city, state, and various state and city officials, challenging the constitutionality of parking statutes and city parking fine ordinances; many additional claims remained pending in the Circuit Court, and neither order disposed of a judicial unit that would qualify it for certification for immediate appeal, as the orders did not resolve all claims by or against one party, or one or more claims that were sufficiently distinct from those claims that remained pending.