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EMPLOYMENT - ALABAMA

McDaniel v. Ezell

Supreme Court of Alabama - January 30, 2015 - So.3d - 2015 WL 403076

Candidate for position of battalion chief with city fire and rescue department brought action against city and city civil service board seeking review of decision of board to promote other candidates to position. The Circuit Court entered judgment on jury verdict in favor of candidate. City, board, and promoted candidate appealed.

The Supreme Court of Alabama held that candidate failed to establish that he was an aggrieved party within meaning of statute governing appeals from decisions of civil service boards, and therefore candidate lacked statutory right to appeal decision of city civil service board promoting other candidates to position of battalion chief within city fire and rescue department.

Candidate did not present any argument or evidence to establish that his legal rights had been adversely affected by the board's promotion decision, rather, his argument and evidence simply focused on his personal dissatisfaction with the way in which the board exercised its discretion pursuant to its internal rules and regulations.

Check this out:

Murdock, J., filed opinion concurring specially.

Moore, C.J., filed opinion concurring in the result.

Main, J., concurred in the result.

Shaw, J., filed dissenting opinion.

Bryan, J., filed dissenting opinion.

Can't we all get along?

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