

# **Bond Case Briefs**

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## **IMMUNITY - SOUTH CAROLINA**

### **Lockaby v. City of Simpsonville**

**Court of Appeals of South Carolina - June 21, 2023 - S.E.2d - 2023 WL 4095956**

City councilmember filed suit against city, former mayor, and city council's sergeant-at-arms, alleging claims of gross negligence, false imprisonment, and § 1983 claims for violation of her First Amendment and Fourth Amendment rights in connection with her ejection from a city council meeting.

The Circuit Court granted defendants' motion for summary judgment. Councilmember appealed.

The Court of Appeals held that mayor's decision to eject councilmember from meeting was legislative act protected by legislative immunity.

Mayor's decision to eject city councilmember from city council meeting was a legislative act, and thus legislative immunity barred councilmember's suit against city, mayor, and city council's sergeant-at-arms alleging claims under § 1983 for First and Fourth Amendment violations and claims for gross negligence and false imprisonment, which claims stemmed from her ejection from the meeting.