
IMMUNITY - WYOMING

Williams v. Lundvall

Supreme Court of Wyoming - March 26, 2024 - P.3d - 2024 WL 1268153 - 2024 WY 27A

Atheist citizen brought civil rights action against city mayor and other unnamed city officials, alleging that his state constitutional rights to religious liberty and to peaceably assemble were violated by limit placed on the number of invocations that he could give at city council meetings, and asserting a claim under the Wyoming Governmental Claims Act (WGCA).

Mayor moved to dismiss for failure to state a claim, or for a more definite statement. The District Court dismissed for failure to state a claim. Citizen appealed.

The Supreme Court held that:

- Mayor and officials were entitled to the general grant of immunity provided by the WGCA, and
- No exception to governmental immunity in the WGCA authorized citizen's direct constitutional claim.

City mayor and officials were acting "within the scope of their duties" when they allegedly limited the number of invocations that atheist citizen could give at city council meetings, and thus mayor and officials were entitled to the general grant of immunity provided by the Wyoming Governmental Claims Act (WGCA), for purposes of citizen's claim alleging that limitation on invocations violated his state constitutional rights to religious liberty and to peaceably assemble, despite citizen's assertion that mayor and officials acted unconstitutionally in imposing such limitation; the assertion that mayor and officials' conduct was unconstitutional did not remove them from their official roles during such conduct.

No exception to governmental immunity in the Wyoming Governmental Claims Act (WGCA) authorized atheist citizen's direct constitutional claim against city mayor and officials that his rights to religious liberty and to peaceably assemble were violated by a limit on the number of invocations he could give at city council meetings, and thus mayor and officials were immune from such claim.

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