

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

MATTHEW GABLER and	)	No. ED102661
STEVEN SCHUTTE,	)	
	)	
Petitioners/Respondents,	)	Appeal from the Circuit Court
	)	of St. Charles County
v.	)	
	)	
THE CIVIL SERVICE COMMISSION	)	Honorable Richard Zerr
OF THE METROPOLITAN ST. LOUIS	)	
SEWER DISTRICT,	)	
	)	
Respondent/Appellant.	)	Filed: December 15, 2015

The Civil Service Commission of the Metropolitan St. Louis Sewer District (Commission) appeals from the decision of the St. Charles County Circuit Court reversing the Commission’s decision upholding the terminations of Matthew Gabler and Steven Schutte (collectively, Petitioners). On appeal, Petitioners assert the Commission erred in upholding their terminations for theft because the decision was not supported by competent and substantial evidence.

REVERSED.

Division Four Holds: The circuit court’s judgment is reversed because the Commission did not err in upholding the Metropolitan Sewer District’s (MSD) termination of Petitioners for theft, because there was competent and substantial evidence supporting its determination that Petitioners stole copper wiring belonging to MSD.

Opinion by: Sherri B. Sullivan, J. Lisa S. Van Amburg, C.J., and Kurt S. Odenwald, J., concur.

Attorneys for Appellant: Debbie S. Champion, Ryan C. Turnage, Todd J. Aschbacher  
Attorney for Respondents: Brandy B. Barth

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
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