**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

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| ELIZABETH SMITH, | ) | No. ED109423 |
| | ) | |
| Appellant, | ) | Appeal from the Circuit Court |
| | ) | of the City of St. Louis |
| vs. | ) | Case No. 1922-CC11551 |
| | ) | |
| CITY OF ST. LOUIS, | ) | Honorable Joan L. Moriarty |
| | ) | |
| Respondent. | ) | Filed: September 14, 2021 |

Elizabeth Smith appeals the judgment entered by the Circuit Court of the City of St. Louis affirming the decision of the St. Louis City Civil Service Commission to suspend her from her employment for 15 days.

REVERSED AND REMANDED.

DIVISION THREE HOLDS: The Commission failed to adhere to the procedural safeguards contained in its written submission process, thus violating Smith's due process rights. We conclude the Commission's decision was made upon unlawful procedure and without a fair hearing in violation of section 536.140.2(5). We reverse the circuit court's judgment, and remand with directions to order the Commission to remove Smith's suspension from her record and determine the amount of back pay Smith lost, together with pre-judgment interest as provided by law.

Opinion by: Angela T. Quigless, J.

Philip M. Hess, P.J. and Colleen Dolan, J., concur.

Attorneys for Appellant: Douglas Ponder and Jaclyn Zimmermann, Ponder Zimmermann LLC

Attorney for Respondent: Steven R. Kratky, Assistant City Counselor, City of St. Louis

**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.**