

REL: November 1, 2019

STATE OF ALABAMA -- JUDICIAL DEPARTMENT
THE COURT OF CIVIL APPEALS
OCTOBER TERM, 2019-2020

2180127

Darrin Garner v. City of Florence, Alabama, a municipal corporation, and the Civil Service Board of the City of Florence.
Appeal from Lauderdale Circuit Court (CV-17-900171).

On Application for Rehearing

DONALDSON, Judge.

APPLICATION GRANTED; NO-OPINION ORDER OF AFFIRMANCE OF AUGUST 16, 2019, WITHDRAWN; NO-OPINION ORDER OF AFFIRMANCE SUBSTITUTED; AFFIRMED. NO OPINION.

See Rule 53(a)(1) and (a)(2)(E), Ala. R. App. P.; Rule 56(c)(1) and (e), Ala. R. Civ. P.; Farr v. Gulf Agency, 74 So. 3d 393, 397-98 (Ala. 2011); Engquist v. Oregon Dep't of Agric., 553 U.S. 591, 609 (2008); Dow v. Alabama Democratic Party, 897 So. 2d 1035, 1038-39 (Ala. 2004); Ex parte Turner, 840 So. 2d 132, 135 (Ala. 2002); Ex parte Elba Gen. Hosp. & Nursing Home, Inc., 828 So. 2d 308, 311-12 (Ala. 2001); White v. Howie, 677 So. 2d 752, 754 (Ala. Civ. App. 1995); McCloud v. City of Irondale, 622 So. 2d 1272, 1273 (Ala. 1993); and Andrews v. Merritt Oil Co., 612 So. 2d 409, 410 (Ala. 1992).

An application for rehearing should present the court with arguments directed to the law and the facts of the case, properly supported with legal authority, and should not contain unprofessional aspersions toward the appellate court. Wright v. City of Mobile, 192 So. 3d 7, 12 (Ala. Civ. App. 2015); and Wright v. City of Mobile, 170 So. 3d 656, 657 n.1 (Ala. Civ. App. 2014).

Thompson, P.J., and Moore, Edwards, and Hanson, JJ., concur.