

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

ST. TAMMANY PARISH FIRE
PROTECTION DISTRICT NO. 8

NO. 2014 CW 0549

VERSUS

GARY MENDOW

JUL 31 2014

In Re: Gary Mendow, applying for supervisory writs, 22nd
Judicial District Court, Parish of St. Tammany, No.
2013-11024.

BEFORE: KUHN, GUIDRY, PETTIGREW, McCLENDON AND WELCH, JJ.

WRIT GRANTED. Because there was no lawful basis for Gary Mendow's termination, that portion of the district court's February 24, 2014 judgment that denied his request for back pay is reversed. La. R.S. 33:2561(C)(1). Judgment is rendered accordingly declaring that Mr. Mendow is entitled to back pay from the date of his termination until the date of his reinstatement.

JTP

JEW

JEK

Guidry, J., concurs in part, but would remand to the Civil Service Board for consideration of the issue of back pay.

McClendon, J., dissents and would not consider the writ. Gary Mendow failed to provide proof that the notice of intent was filed and that said filing was timely under Rules 4-2 and 4-3, Uniform Rules of Louisiana Courts of Appeal, in accordance with the provisions on La. Code Civ. P. art. 1914(A) and (B).

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DEPUTY CLERK OF COURT

FOR THE COURT