

**STEVEN ACHORD, ET AL**

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**NO. 2018-CA-0635**

**VERSUS**

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**COURT OF APPEAL**

**DEPARTMENT OF FIRE**

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**FOURTH CIRCUIT**

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**STATE OF LOUISIANA**

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**BELSOME, J., CONCURS WITH REASONS.**

I respectfully concur in the majority's opinion to affirm, in part, reverse, in part, and remand. I agree with the majority's finding that the Civil Service Commission's failure to provide a remedy to the firefighters, who were unlawfully passed over for promotion, was arbitrary and capricious. In addition, I find that the Commission's arbitrary and capricious failure to provide a remedy for the aggrieved firefighters resulted in a violation of their due process rights under the United States and Louisiana Constitutions. *See* U.S. Const. amends. V and XIV; La. Const. art. I, § 2 (no person shall be deprived of the right to life, liberty and property without due process of law). For these reasons, I concur in the majority's opinion to affirm, in part, reverse, in part, and remand with an instruction to the Commission to remedy the constitutional violations by promoting the qualified applicants.