

SUPREME COURT OF ALABAMA

Alabama Department of Corrections v. Merritt

74 So. 3d 25 (Ala. 2011) · No. 1100129 · Decided May 13, 2011

SUMMARY

The Supreme Court of Alabama held that the trial court's Rule 54(b) certification was ineffective because the plaintiffs' claims for refunds and other damages had not been fully adjudicated. The court rejected the Court of Civil Appeals' conclusion that sovereign immunity made the judgment final and reviewable. It reversed and remanded with instructions to dismiss the appeal and direct the trial court to vacate the Rule 54(b) certification.

CASE DETAILS

COURT	Supreme Court of Alabama
WRITING FOR THE COURT	Bolin, Justice; Cobb, C.J.; Woodall, J.; Stuart, J.; Parker, J.; Murdock, J.; Shaw, J.; Main, J.; Wise, J.
JURISDICTION	Alabama
DECIDED	May 13, 2011
DOCKET	1100129
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The Alabama Department of Corrections petitioned for a writ of certiorari to review the Court of Civil Appeals' judgment affirming in part and reversing in part a trial court judgment. The Supreme Court of Alabama granted certiorari and reviewed whether the trial court's Rule 54(b) certification created an appealable final judgment.
STANDARD OF REVIEW	The Supreme Court reviewed the legal effectiveness of a Rule 54(b) certification and the resulting appellate jurisdiction de novo.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Alabama; precedential.
PARTIES	Alabama Department of Corrections, Bob Riley, Governor, Various officials of the Alabama Department of Corrections v. Jerry Mack Merritt, Thomas Layton, Johnny Walker, Warren R. Robinson, Darrell Williams

TOPICS

final judgment rule

appellate jurisdiction

appellate procedure

civil procedure

statutory interpretation

PRACTICE AREAS

Civil procedure

Appellate procedure

Administrative law

Corrections law

QUESTIONS PRESENTED

1. Whether a trial court may effectively certify a liability judgment as final under Rule 54(b) when damages on the claim remain undetermined.
2. Whether the Court of Civil Appeals had appellate jurisdiction over the Rule 54(b)-certified judgment.

HOLDINGS

1. A claim for which damages are sought is not fully adjudicated for Rule 54(b) purposes until the damages element is resolved; a judgment deciding only liability cannot be made final by Rule 54(b) certification.

KEY QUOTATIONS

“[I]t is well established that a claim for which damages are sought is insufficiently adjudicated for Rule 54(b) purposes until the element of damages is resolved; a judgment resolving only liability in an action seeking damages cannot be certified as final pursuant to Rule 54(b).” (30)

“Accordingly, we reverse the judgment of the Court of Civil Appeals insofar as it holds that the trial court’s Rule 54(b) certification was proper, and we remand the cause to the Court of Civil Appeals for that court to enter a judgment dismissing the appeal in its entirety and instructing the trial court to vacate its Rule 54(b) certification.” (31)

FACTUAL BACKGROUND

The Alabama Department of Corrections operated a work-release program and withheld a percentage of participating inmates' earnings while charging fees for transportation and other goods or services. The inmates challenged the amount withheld and several charges, alleging that the department's practices exceeded statutory authority or conflicted with its regulations. The trial court resolved liability issues but left the amount of damages or refunds undetermined.

PROCEDURAL HISTORY

The trial court resolved liability issues concerning charges imposed on work-release inmates but left damages, including potential refunds, undetermined. It certified the liability judgment as final under Rule 54(b), and the Court of Civil Appeals held that the certification was proper because it believed sovereign immunity barred recovery of damages. The Supreme Court of Alabama reversed, holding that the unresolved damages issue prevented the judgment from being final and remanded with instructions to dismiss the appeal and direct the trial court to vacate its Rule 54(b) certification.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Court of Civil Appeals was instructed to enter a judgment dismissing the appeal in its entirety and to instruct the trial court to vacate its Rule 54(b) certification.

CASES CITED

- Alabama Dep't of Corr. v. Merritt, 74 So. 3d 1 (Ala. Civ. App. 2010)
- Hutchinson v. State, 66 So. 3d 220 (Ala. 2010)
- Stark v. Troy State University, 514 So. 2d 46 (Ala. 1987)
- Ex parte Carlisle, 894 So. 2d 721 (Ala. Civ. App. 2004)
- Haynes v. Alfa Fin. Corp., 730 So. 2d 178, 181 (Ala. 1999)
- Grantham v. Vanderzyl, 802 So. 2d 1077, 1080 (Ala. 2001)
- Goldome Credit Corp. v. Player, 869 So. 2d 1146, 1147 (Ala. Civ. App. 2003)
- Precision American Corp. v. Leasing Serv. Corp., 505 So. 2d 380, 382 (Ala. 1987)
- Moody v. State ex rel. Payne, 351 So. 2d 547, 551 (Ala. 1977)
- "Automatic" Sprinkler Corp. of America v. B.F. Goodrich Co., 351 So. 2d 555, 557 (Ala. 1977)
- Robinson v. Computer Servicers, Inc., 360 So. 2d 299, 302 (Ala. 1978)
- Tanner v. Alabama Power Co., 617 So. 2d 656 (Ala. 1993)
- Dzwonkowski v. Sonitrol of Mobile, Inc., 892 So. 2d 354, 361-62 (Ala. 2004)
- Certain Underwriters at Lloyd's, London v. Southern Natural Gas Co., 939 So. 2d 21, 28-29 (Ala. 2006)