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Due Process: Dog Ownership is Protectible Property Interest; Post-Deprivation Notice to Owner is Insufficient to Accord Due Process

Estate of Charles W. Holt v. City of Hattiesburg, No. 17-60302 (5th Cir. Feb. 4, 2020).

A dog owner was entitled to notice before his runaway canine was transferred to city ownership after being held in impoundment; post-deprivation notice in the form of legal proceedings did not accord due process.

In February 2015, Charles Holt (Holt), then over 90 years old, summoned EMS due to a fall in his home. As they tended to Holt, his dog Max escaped, despite the efforts of Hattiesburg (City) animal control officers to corral the animal.

Max was captured several weeks later and impounded at the Southern Pines Animal Shelter (Shelter). While Max was on the loose, and during his initial days at the Shelter, Holt was in the hospital; he was not notified of Max's impoundment until several weeks later. When Holt tried to reclaim Max, the Shelter refused based on orders from the City. In July 2015, the City's Municipal Court held a hearing and ordered that the Shelter retain custody of Max because the dog allegedly posed a danger to Holt's caregivers and Holt did not have the physical ability to control the animal.

Holt appealed to the local county court, which concluded that the City properly took ownership of Max pursuant to City Ordinance 2090 (the "Ordinance"). Under the Ordinance, "all animals shall be kept under restraint," meaning keeping an animal "within the confines of its owner's home." impounded." If an owner does not redeem his or her impounded animal within three days of its capture, the animal "become[s] the property of the City and shall be placed for adoption . . . or humanely euthanized."

In March 2016, Holt sued the City, its mayor and the Shelter (Defendants), claiming that the City's actions deprived him of property without due process; he also asserted equal protection and Fourth Amendment claims and sought a declaratory judgment that the Ordinance was unconstitutional on its face. The district court granted summary judgment for the Defendants and denied Holt's request for declaratory relief.

Holt died while his appeal was pending, requiring the Fifth Circuit to first determine whether his claims survived his death. Under Mississippi's survival action statute, only a "personal action" survives the death of the party bringing it and "the executor or administrator of [the] deceased party may prosecute or defend such action." Mississippi courts define a "personal action" as "'an action brought for the recovery of personal property, for the enforcement of a contract or to recover damages for its breach, or for the recovery of damages for the commission of an injury to the person or property.'" Therefore, to the extent the relief he sought was "for the recovery of damages for the commission of an injury to the person or property," it survived. Likewise, Holt's request for injunctive relief survived his death, as it sought "the recovery of personal property," his dog Max. However, the Circuit held that Holt's effort to have the Ordinance be declared unconstitutional did not survive, because the claim did not seek damages or the return of property.

In terms of procedure, the district court had determined that the hearings in Municipal and County Courts in which Holt participated after Max's forfeiture to the City provided him with adequate post-deprivation process. In analyzing the due process question, the Circuit was first required to determine whether Max was protected "property" under the Fourteenth Amendment. "[T]he underlying principle that an owner's property interest in his or her dog is qualified in nature remains sound." But due process protections are afforded dog owners so long as they protect that interest by complying with reasonable regulations relating to the care and keeping of dogs. While it was unclear whether Holt had adequately restrained Max, construing the evidence in the light most favorable to Holt as the non-movant with respect to the motion for summary judgment, "a reasonable jury could conclude that he complied with the Ordinance by adequately restraining Max and therefore maintained a valid property interest in Max and was entitled to due process."

Having found that Holt possessed a protectible property interest, the Circuit evaluated the due process claim. Due process requires the balancing of three factors:

> First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.

While Holt received no notice or a hearing before Max was taken and his ownership transferred, the City argued, and the district court concluded, that Holt received adequate post-deprivation process through participation in state and local court proceedings: Holt had hearings before the Municipal and County Courts after the City took ownership of Max. The Circuit cited the Supreme Court's line of cases allowing a post-deprivation hearing to stand in for pre-deprivation notice and process (referred to as the *Parratt*/*Hudson* doctrine) as applying where three preconditions are met: "the deprivation must truly have been unpredictable or unforeseeable; the pre-deprivation procedures must have been impotent to counter the state actors' particular

conduct; and the conduct must have been 'unauthorized' in the sense that it was not within the officials' express or implied authority."

Here, the City had not shown any of the three preconditions. Moreover, the district court pretermitted without any analysis of whether the City was justified in providing only post-deprivation process, and conclusorily held that such post-deprivation process was sufficient. Vacated and remanded.

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Home Rule: Promoting Trust with Immigrant Community Is Statewide Concern and Supersedes Local Prerogative to Regulate Police Force

City of Huntington Beach v. Becerra, No. G057013 (Cal. 4th App. Jan. 10, 2020).

(Written by Gary Schons of Best Best and Krieger and originally published by BB&K)

In a significant decision addressing the tension between charter city "home rule" authority and state law, a California appellate court found that the California Values Act's goal of promoting trust between the immigrant community and state and local agencies is a matter of "statewide concern." This concern eclipses even the "municipal affair" of a city regulating its own police department, the court added.

In 2017, the Legislature enacted the California Values Act (Government Code section 7284 et. seq.) which prohibits state and local law enforcement agencies from engaging in a host of activities for federal immigration enforcement purposes. The Legislature found that a "relationship of trust between California's immigrant community is central to public safety" and that this "trust is threatened when state and local agencies are entangled with federal immigration enforcement, with the result that immigrant community members fear approaching police when they are victims of, and witnesses to crimes."

The City of Huntington Beach, a charter city, filed a lawsuit to invalidate the CVA's mandates. The City claimed the mandates impermissibly stripped its constitutionally protected charter authority — the so-called "home rule," with respect to local "municipal affairs." Namely, it impacted the City's ability to regulate its own police department. The Orange County Superior Court sided with the City and against the State Attorney General. It found that police force regulation is a "quintessential municipal affair" and a "municipal prerogative" under the state Constitution. There is no "statewide concern" embodied in the CVA justifying the State regulating the Police Department's activities. The Attorney General appealed. On Jan. 10, the Fourth District Court of Appeal issued a published opinion reversing the Superior Court and upholding the CVA's application to the Police Department's activities. (*City of Huntington Beach v. Xavier Becerra, as Attorney General*)

Under Article XI, section 5 of the state Constitution, the “home rule” doctrine for charter cities is found, and it specifically authorizes them to govern themselves, free from state intrusion, as to matters deemed “municipal affairs.” One of the “core” categories of municipal affairs that is specifically described in section 5, subsection (b) is “the constitution, regulation and government of the city police department.

However, California Supreme Court decisions over the years have held that charter cities can be subject to state laws that concern the regulation of municipal affairs when that legislation is a matter of “statewide concern” and not overbroad. That determination is a matter of law for the courts to decide. In so doing, the courts are to apply a four-part test asking:

The City first argued that, as to the “core” “municipal affairs,” the four-part “statewide concern” analysis does not apply at all. In essence, it argued, these affairs are immune from the application of any state legislation. In a lengthy review and analysis of the law, the appellate court rejected that claim.

The appellate court then applied the four-part “statewide concern” analysis. It found, in applying step one, that the City’s Charter and Code did regulate its police department’s governance.

As to step two, the court rejected the notion that there existed an “actual conflict” between the City’s Charter and Code provisions related to its police department’s governance and the CVA’s provisions that a charter city law is contradictory to state law only when it is “inimical thereto.” However, the court did find a conflict between a city charter provision granting the City full constitutional power to make laws regarding municipal affairs. This sweeping grant of power the court found was in conflict with the CVA prohibitions on certain activities related to immigration enforcement.

The court then moved to the critical third step, whether the CVA addresses a matter of statewide concern: a concern of “sufficient extramural dimension.” The court found that it does and that public safety is clearly a matter of statewide concern, as is public health, as well as the treatment and welfare of immigrants, regardless of their status. The court concluded that “*uniform* application of the CVA throughout the state is necessary to ensure it adequately addresses these statewide concerns.”

Finally, as to step four, the court concluded the CVA is reasonably related to the statewide concerns identified and narrowly tailored to address them while avoiding undue interference in local governance.

Because a city’s (or county’s) governance of its police (or sheriff) is such an entrenched and well-recognized “municipal affair,” this decision signals that the courts will afford significant deference to state legislating even in this area of presumed “home rule.”

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Judicial Immunity: Judge has Complete Discretion to Set Cash-Only Bond; Clerk's Use of Signature Stamp is Protected by Quasi-Judicial Immunity

Hamilton v. City of Hayti, No. 18-3450 (8th Cir. Jan. 28, 2020).

In a case where the complainant's mother was the court clerk and her boyfriend was the arresting officer, the clerk's use of a judge's signature stamp to issue an invalid warrant and the imposition of a $1022.50 cash-only bond on an indigent arrestee were all protected by immunity; there was no Monell liability because the act was not taken by the municipal government but by the judiciary and there was insufficient evidence of a conspiracy against the arrestee.

In July 2011, Amy Inman (Inman), manager of an apartment complex in Hayti, Missouri (Hayti or City) reported to police that Henry Hamilton (Hamilton) began cursing and throwing objects at her while applying for public housing. Glenda Overbey (Overbey), the police department receptionist and Inman's mother, radioed the two officers on duty. Officer David Inman, Inman's boyfriend and now her husband, responded. Inman prepared a "notice against trespass" barring Hamilton from entering the apartment complex due to "assault on management" and signed a complaint at the Hayti police station, witnessed by Overbey, charging Hamilton with Peace Disturbance and Assault.

The next day, a police officer in a neighboring town arrested Hamilton for "eluding a police officer." Officer Inman was dispatched and served the notice against trespass, moving Hamilton to the local County Jail. Overbey, who also served as clerk and administrator for the Hayti municipal court, issued an arrest warrant commanding that Hamilton be brought before the municipal court on the notice against trespass. She signed the warrant for Municipal Judge Calvin Ragland (Judge Ragland), using a rubber stamp he provided, requiring that Hamilton post a cash bond of $1,022.50. He did not have the funds and was held for seven days before his initial appearance before Judge Ragland. The assault charge was dismissed and Hamilton pleaded guilty to the peace disturbance charge. Judge Ragland sentenced Hamilton to time served on the other charges and ordered his release.

Hamilton sued the City of Hayti, Overbey, Judge Ragland, and Inman. Count I sought damages and injunctive and declaratory relief under 42 U.S.C. § 1983, alleging unlawful arrest, detention, and prosecution, and an excessive cash-only bond that he was unable to pay due to indigency, in violation of his Fourth, Eighth, and Fourteenth Amendment rights. Count II alleged violations of Missouri law and Count III alleged a civil conspiracy to arrest, detain, and prosecute Hamilton.

The district court dismissed all claims against Judge Ragland and clerk Overbey based on judicial and quasi-judicial immunity. The court dismissed the state law claims against the City and Inman because the City had sovereign immunity and Inman, a private actor, could not be sued for violations of relevant Missouri law. And it granted summary judgment on the remaining § 1983 damage claims, concluding (i) the City was not liable under *Monell* because the alleged unconstitutional bond practice was not a final policy decision; and (ii) Inman was not liable for conspiracy under § 1983 because Hamilton failed to prove a "meeting of the minds" with state actors. In a separate order, the court dismissed the claims for injunctive and declaratory relief as moot because Missouri has amended its laws pertaining to bail in municipal courts.

Hamilton appealed, challenging the dismissal of his § 1983 damages claims against Judge Ragland, Overbey, Inman, and the City. Reviewing the dismissal and summary judgment orders de novo, the Eighth Circuit affirmed.

Judicial Immunity: Hamilton alleged that Judge Ragland was liable in damages for allowing Overbey to issue arrest warrants and set bonds using his signature stamp, and in requiring cash-only bonds without regard to the arrested person's ability to pay. The Circuit noted that judicial immunity is fundamental to the principle that "a judicial officer, in exercising the authority vested in him, shall be free to act upon his own convictions, without apprehension of personal consequences to himself." Mere "[a]llegations of malice or corruption do not defeat judicial immunity. However, the principle yields in two circumstances: "First, a judge is not immune from liability for nonjudicial actions, i.e., actions not taken in the judge's judicial capacity. Second, a judge is not immune for actions, though judicial in nature, taken in the complete absence of all jurisdiction."

Arrest Warrant: Missouri Supreme Court Rules clearly authorize a municipal judge to issue a warrant "[w]hen an information charging the commission of an ordinance violation and a statement of probable cause are filed," and the court finds "reasonable grounds . . . to believe that the defendant will not appear." But because no information had been filed when the arrest warrant was issued, Hamilton argued that Judge Ragland's issuance was a non-judicial act that invaded the prosecutor's exclusive jurisdiction to commence a prosecution.

This contention failed. While there may be some flexibility regarding the prosecutor's role in an initial arrest, when a suspect is in custody and the question is whether his liberty should be restrained pending trial, "probable cause for the issuance of an arrest warrant must be determined by [a neutral and detached magistrate] independent of police and prosecution." Here, when the warrant issued, Hamilton was already in custody on another charge. Without question, then, issuance of an arrest warrant authorizing his detention pending trial was a judicial act within Judge Ragland's jurisdiction as a municipal court judge. Given his statutory authority to issue warrants, even if the warrant to arrest Hamilton was improper under the circumstances, it was simply an act in "excess of jurisdiction" that did not deprive him of judicial immunity: "Judicial immunity extends even to 'the commission of grave procedural errors.'"

The immunity applied even though the warrant in this case was actually issued by court clerk Overbey, who was not a neutral and detached magistrate who could make a constitutionally proper probable cause finding, "Overbey exercised authority delegated by Judge Ragland to perform the judicial act of issuing an arrest warrant." The Circuit cited with approval a Tenth Circuit decision in which a court clerk had issued the warrant stamped with the judge's signature; that court affirmed dismissal of a claim against the judge based on absolute immunity. "[E]ven assuming that his acts violated Kansas law, Judge Roach did not act 'in the clear absence of all jurisdiction.'" The Eighth Circuit agreed with this reasoning "and therefore conclude[d] that Judge Ragland is entitled to absolute judicial immunity from Hamilton's arrest and detention damage claims based on an invalid warrant issued by Overbey."

Cash-Only Bond: Hamilton also argued that Judge Ragland was liable in damages for requiring the posting of an exorbitant cash-only bond. In 2010, Judge Ragland had issued an Order authorizing the court clerk and police officers to collect fines and bonds for ordinance and traffic violations, in amounts up to $500 per infraction. Every bond had to be paid in cash, not by a professional bondsman. If the arrested person could not pay, he was held in jail until his initial appearance in municipal court.

It was Judge Ragland's practice to increase the fine to the maximum $500 for a municipal offense involving breach of the peace in a place of business. Therefore, in issuing the arrest warrant, Overbey set Hamilton's bond at $1,022.50, $500 for each of the two offenses at the apartment, plus court costs.

Hamilton alleged that Judge Ragland's "established practice" denied indigent arrestees their constitutional right not to be imprisoned prior to trial solely because they cannot afford to pay the bond to secure their release. The district court had concluded that Judge Ragland was entitled to absolute judicial immunity because Missouri law states that "the imposition of conditions of release [including bail bonds] is subject to the discretion of the judge." The Eighth Circuit agreed. It cited its own precedent in two Arkansas cases holding that judges were entitled to judicial immunity in setting the county's bond policy: "These authorities confirm that Judge Ragland's practice of setting a bond schedule conditioning the pretrial release of persons accused of municipal ordinance violations was a judicial act within his jurisdiction to which judicial immunity attaches."

Hamilton's argument that court clerk Overbey was liable in damages for issuing an invalid arrest warrant that included an unconstitutional cash bond requirement also failed. "For court clerks, absolute immunity has been extended to acts that are discretionary, taken at the direction of a judge, or taken according to court rules." Here, even assuming that Judge Ragland did not direct Overbey to issue the warrant, "it is undisputed that Judge Ragland authorized Overbey to use her discretion to issue and set warrants with bond conditions. In similar situations, we have extended quasi-judicial immunity to court clerks."

***Monell* Arguments:** Hamilton also argued that Judge Ragland's "unconstitutional bond practice" was fairly attributable to the City. The Eighth Circuit reviewed *Monell* , which allows for municipal liability if the unconstitutional act is officially adopted and promulgated by municipal officers: Municipal liability "may be imposed for a single decision by municipal policymakers" who possess "final authority to establish municipal policy with respect to the action ordered." But under Missouri law, Judge Ragland's bond policy was a judicial act subject to review or reversal by higher state courts--neither the adoption of the bond schedule nor the setting of Hamilton's bond was a final decision by a municipal policymaker. Hamilton's argument that the bond policy had been "adopted" by Hayti's chief of police also failed, because he presented no evidence showing how the "adoption" of the bond schedule by the City of Hayti police caused the deprivation of Hamilton's rights as an indigent arrestee. "A municipality cannot be liable for judicial conduct it lacks the power to require, control, or remedy, even if that conduct parallels or appears entangled with the desires of the municipality."

Hamilton further argued that, even if Judge Ragland's bond practice was not an official policy, it was an unconstitutional municipal custom "so permanent and well settled as to constitute a 'custom or usage' with the force of law." To prevail on this *Monell* theory, he had to demonstrate (1) "[t]he existence of a continuing, widespread, persistent pattern of unconstitutional misconduct by the governmental entity's employees"; (2) "[d]eliberate indifference to or tacit authorization of such conduct by the governmental entity's policymaking officials after notice to the officials of that misconduct;" and (3) "proof that the custom was the moving force behind the constitutional violation." Applying this standard, even if the Circuit considered Judge Ragland's bond practice to be part of municipal custom or usage, there was no evidence that Judge Ragland, Overbey, or any City employee set the cash-only bond condition with deliberate indifference to Hamilton's rights as an indigent arrestee.

Conspiracy: Finally, Hamilton challenged the district court's grant of summary judgment on his § 1983 claim that Inman conspired with the other defendants. A § 1983 conspiracy claim requires proof of action under color of state law, and can be shown where a private party "is a willful participant in joint action with the State or its agents." To survive summary judgment, a plaintiff must point to sufficient evidence for a reasonable jury to find that "there was a mutual understanding, or a meeting of the minds, between the private party and the state actor." Hamilton argued that the requisite meeting of the minds could be inferred from the fact that Inman, a private citizen, instigated his arrest, court clerk Overbey employed "extremely irregular" procedures in opening the municipal court case, arresting Hamilton, and setting an dual-charge cash-only bond without involving the city prosecutor, and the defendants shared "close family, romantic, and personal relationships."

The Circuit saw no conspiracy. Hamilton presented no evidence that Inman played any part in issuing the arrest warrant, setting the bond, or preventing his release from jail before his court appearance. Inman's "familial and romantic" relationships with Overbey and Officer Inman "on their own, are not sufficient to prove a 'meeting of the minds' by either direct or circumstantial evidence." While the warrant may have been infirm because Judge Ragland's personal involvement was constitutionally required, but it was undisputed that Overbey believed she was exercising authority the judge had delegated.

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RLUIPA: Ordinance Allowing All "Special Occasion Facilities" Which Charge for Usage Does Not Discriminate Against Church

Calvary Chapel Bible Fellowship v. County of Riverside, no. 17-56857 (9th Cir. Feb. 4, 2020).

Affirming the lower court's grant of summary judgment, the Ninth Circuit finds that a Riverside County ordinance restricting wine country zoning permits to facilities that charge fees does not violate RLUIPA.

Calvary Chapel Bible Fellowship, a non-denominational Christian church ((Calvary Chapel) bought its first parcel of land in the wine region of Riverside County (Riverside) in 1996, erecting a church on the property. In 1999, Riverside enacted more restrictive zoning ordinances that removed religious assemblies from the list of permissible uses in the "Citrus/Vineyard" zone (C/V Zone) where Calvary Chapel is located: the C/V Zone designation was intended to "encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry[.]" Riverside Cty., Cal., Ordinance 348, § 14.71 (2016). Accordingly, vineyards, groves, crops, orchards, gardens, and pastures for raising livestock are all permitted as of right in the C/V Zone. *Id.* § 14.73(A). But not all uses allowed in the C/V Zone are purely agricultural. Eighteen-hole golf courses, child day care centers, bed and breakfasts, country inns, hotels, restaurants, spas, cooking schools, wine sampling rooms, retail wine sale stores, and "special occasion facilities" are all

permissible in the C/V Zone upon approval of a plot plan. Calvary Chapel did not fit within those parameters, meaning that it has operated as a legal non-conforming use.

In 2009, Calvary Chapel purchased a second parcel of land in the C/V Zone, desiring to expand its facilities by building a larger sanctuary, a special occasion facility, and an open-air wedding venue. The Riverside Planning Director found the proposed expansion was the same in character and intensity as other uses already permitted in the C/V Zone. But two months later, a group called "Protect Wine Country" sued Riverside, challenging the validity of the "same in character and intensity" provision. The Superior Court entered judgment in favor of Protect Wine Country, and Calvary Chapel's plot plan application was thus invalidated. It brought a facial RLUIPA claim, arguing that Riverside violated RLUIPA's equal terms provision by prohibiting religious assemblies while allowing "special occasion facilities, hotels, resorts, golf courses, clustered residential subdivisions, professional culinary academy, bed and breakfasts, wineries, wine club activities, wine club events, Winegrowers Trade Association Events, gift sales, country inns, restaurants, bed and breakfast inns, hotels, spas, and cooking schools" in the C/V Zone.

Calvary Chapel also contended that Riverside violated RLUIPA's nondiscrimination provision because the ordinances were enacted in a discriminatory manner, being passed after citizens and vintners from the wine industry voiced public anti-church sentiment.

The district court issued summary judgment in favor of Riverside, concluding that Riverside had not violated RLUIPA's equal terms provision because both religious and secular assemblies are allowed in the C/V Zone if they are "special occasion facilities," which requires, among other things, that the facilities are used "for a specific period of time in return for compensation." It also found that Calvary Chapel failed to show Riverside had discriminatory intent.

On appeal, the Ninth Circuit began with Calvary Chapel's equal terms claim. RLUIPA is plain: "[n]o government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution." 42 U.S.C. § 2000cc(b)(1). Furthermore, RLUIPA requires that courts construe the statute "in favor of a broad protection of religious exercise, to the maximum extent permitted[.]" *Id.* § 2000cc-3(g). To establish a prima facie equal terms violation, Calvary Chapel had to show "(1) there [is] an imposition or implementation of a land-use regulation, (2) by a government, (3) on a religious assembly or institution," and (4) the land-use regulation treats a religious assembly or institution "on less than equal terms with a nonreligious assembly or institution."

The first three factors were easily satisfied. Calvary Chapel's remaining burden was to show that the Riverside ordinance treated a religious institution unequally compared to a secular assembly or institution. Because it had brought a facial challenge, the Circuit considered only the text of the zoning ordinance, not its application. And on its face, the ordinance treated secular and religious places of assembly the same: both were permitted in the C/V Zone only if they met the requirements of a "special occasion facility," meaning that, at some point, they had to rent their facilities out in return for compensation. Other entities were barred: "In other words, the ordinance places facilities that do not plan to charge a fee on equal terms, regardless of whether they are religious or secular."

As the Circuit noted, Riverside had already represented to Calvary Chapel that it could build a house of worship in the C/V Zone, so long as it met all requirements of a special occasion facility such as receiving compensation. (Although one of Riverside's FRCP 30(b)(6) witnesses

testified that a church could not conduct regular worship services in the C/V Zone, even if it rented out its facility for weddings or other events, “this testimony was a pure legal conclusion and is not binding on Riverside, at least given the subsequent explanation and concessions Riverside has provided.”)

The Circuit agreed with the lower court: Calvary Chapel failed to establish a prima facie violation of RLUIPA’s equal terms provision on a facial challenge.

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Congratulations to Alan Diamond (who argued the case) and Timothy T. Coates of Greines Martin Stein & Richland LLP, and James E. Brown, Riverside Assistant County Counsel and Melissa Renee Cushman, Riverside Deputy County Counsel.

THIS JUST IN: James Blackburn, Long-time Savannah City Attorney, Passes Away

WTOC in Savannah Georgia posted this note:

SAVANNAH, Ga. (WTOC) - Savannah is mourning the loss of former city attorney James Blackburn. He passed away on January 22nd following a brief illness. Blackburn served as City Attorney for a total of 47 years. He held that position until 2012.

“Jimmy made Savannah," said Michael Brown, former Savannah city manager. "The best of Savannah, whether it’s neighborhood housing, anything about the city, Jimmy made it possible by looking out for the law.” A funeral service was held on Monday morning at 11 a.m. at Ardsley Park Baptist Church. He will be buried in the Greenwich Section of Bonaventure Cemetery.

He leaves behind his wife of 72 years, two sons, a daughter-in-law, six grandchildren, and a sister-in-law.

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