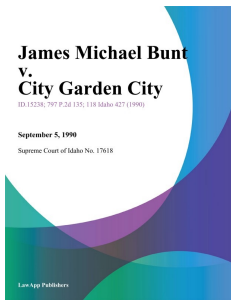


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JAMES MICHAEL BUNT V CITY GARDEN CITY EBOOKS 2019



Author: Supreme Court Of Idaho

Realese Date: Expected @@expectedReleaseDate@@

James Bunt served as a Garden City police officer from January 1978 to May 1982. In May of 1982, the Garden City Council removed Police Chief Gussie and appointed Bunt as the acting chief. A search for a permanent replacement was conducted. Bunt applied and was appointed for an unspecified term by the Council as the Chief of Police September 14, 1982. In January of 1986, Bunt was removed by the unanimous vote of the Council. No specific reason was supplied by the Council for its action and no hearing was conducted. Bunt filed a lawsuit against Garden City, alleging that his termination was wrongful and in violation of his constitutional rights. Both parties moved for summary judgment, and the district court, in a memorandum decision, granted Garden City's motion on the ground that I.C. Å§ 50-206 placed the office of Chief of Police into the employment-at-will framework. Removal of the office holder was therefore possible at the will of the employer, with no notice or hearing required. The question presented by this appeal is whether Bunt was entitled to notice and a hearing prior to his removal from office. As will become apparent, the answer hinges on whether Bunt was an "appointed" official or an "employee" of the City.

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