

9/15/26

No. 26-368

IN THE
Supreme Court of the United States

CAROLYNN ELIZABETH WOOD,
Petitioner,

v.

DAVID LYNN HAYNES AND WEST SIDE
BAPTIST CHURCH,
Respondents.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE
SUPREME COURT OF ALABAMA

PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

Whether the Fourteenth Amendment permits a state court of last resort to affirm dismissal with prejudice on a dispositive justiciability ground that the respondents did not raise and the trial court did not state, without notice or a meaningful opportunity to address that ground before judgment, where the petitioner sought a declaration of disputed legal rights and challenged the newly announced ground at the first available opportunity.

PARTIES TO THE PROCEEDING

Petitioner Carolynn Elizabeth Wood was the appellant in the Supreme Court of Alabama and the plaintiff in the Calhoun Circuit Court. Respondents David Lynn Haynes and West Side Baptist Church were the appellees and defendants below. No party is a publicly traded corporation, and no corporate disclosure statement is required from Petitioner under Rule 29.6.

RELATED PROCEEDINGS

This case arises from the following proceedings:

Wood v. Haynes and West Side Baptist Church, No. CV-24-900431 (Circuit Court of Calhoun County, Alabama), judgment entered March 26, 2025.

Wood v. Haynes and West Side Baptist Church, No. SC-2025-0205 (Supreme Court of Alabama), judgment entered May 22, 2026; rehearing denied and certificate of judgment issued July 10, 2026.

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Constitutional and Statutory Provisions

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PETITION FOR A WRIT OF CERTIORARI

Carolynn Elizabeth Wood respectfully petitions for a writ of certiorari to review the judgment of the Supreme Court of Alabama.

OPINIONS BELOW

The Supreme Court of Alabama affirmed without opinion on May 22, 2026, under Rule 53(a)(1) and (a)(2)(F) of the Alabama Rules of Appellate Procedure. Its unpublished memorandum in support of affirmance is reproduced at App. 1a. The July 9, 2025 order denying Petitioner's motion to supplement the record is reproduced at App. 9a. The Calhoun Circuit Court's March 26, 2025 dismissal order is reproduced at App. 10a. The July 10, 2026 rehearing denial and certificate of judgment are reproduced at App. 11a.

JURISDICTION

The Supreme Court of Alabama entered judgment on May 22, 2026. Petitioner timely sought rehearing. The court denied rehearing on July 10, 2026. This petition is timely under Rule 13.3 because the ninety-day period runs from the denial of a timely rehearing petition. This Court has jurisdiction under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The First Amendment provides, in relevant part: "Congress shall make no law ... abridging ... the right of the people ... to petition the Government for a redress of grievances."

Section 1 of the Fourteenth Amendment provides, in relevant part: "No State shall ... deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The pertinent provisions of the Alabama Declaratory Judgment Act and relevant rules are reproduced in the appendix.

STATEMENT OF THE CASE

A. The record and the dispute

The record is the anchor. Petitioner does not ask this Court to resolve disputed facts or decide any question of religious doctrine. The pleadings, motions, hearing transcripts, orders, and appellate filings establish what claims Petitioner presented, what relief she requested, what constitutional objections she preserved, and the different grounds addressed at successive stages of the case.

Petitioner was a member of West Side Baptist Church, a nonprofit religious organization.¹ On April 8, 2024, Petitioner began working part-time as the finance secretary. Petitioner soon raised questions concerning anonymous cash donations, financial transparency, use of organizational social-media accounts, and compliance with governing bylaws. The relationship deteriorated, and Petitioner

¹ The record did not establish whether the Church was incorporated. In this petition, references to the Church's "corporate body" mean the congregation acting collectively through its members, not statutory incorporation.

resigned from employment on July 29, 2024. However, she did not resign her membership.

On July 30, 2024, Petitioner filed a civil action seeking declaratory and injunctive relief. The complaint characterized the dispute as involving business, employment, authority of the Church's corporate body, and compliance with governing documents—not the resolution of religious doctrine. Her second amended complaint, filed March 4, 2025, requested a declaration that Haynes's challenged actions were ultra vires and void and asserted claims for constructive discharge, retaliation, breach of fiduciary duty, violation of the Church's bylaws, defamation per se, disability discrimination, and whistleblower retaliation.

Petitioner also invoked the Equal Protection Clause in challenging Alabama's statutory distinction between protected public employees and excluded nonprofit employees. That federal contention, together with her Petition Clause and procedural objections, was among the claims left unresolved when the action was terminated on a dispositive ground that Respondents had not raised and the trial court had not stated. Petitioner does not ask this Court to decide the merits of those underlying claims. The question is whether they could be extinguished with prejudice on a newly introduced ground without notice or a meaningful opportunity to respond.

While the action was pending, Respondents asserted that Petitioner had been excommunicated. Petitioner disputed whether any properly noticed and authorized body had taken that action. Her civil

theory asked who acted, whether the actor possessed authority under the governing documents, whether prescribed notice and voting procedures occurred, and what legal effect followed. The parties and trial court referred only briefly to possible ecclesiastical limits; no court identified a disputed question of doctrine that adjudication would require it to decide.

B. The trial-court proceedings

Respondent Haynes moved to dismiss under Alabama Rule of Civil Procedure 12(b)(6). He did not ask the trial court to dismiss for want of a justiciable controversy. Petitioner sought discovery regarding authority, notice, voting, minutes, financial practices, and the asserted corporate acts. The court did not adjudicate those requests before dismissing the case.

The earlier hearing transcripts frame what followed. At the October 2, 2024 hearing, the court stated that its hands were “pretty tied and limited” as to ecclesiastical issues, while Petitioner explained: “I am not asking for money. This is solely for purposes of making things clear.” The court allowed ten days to amend. At the January 7, 2025 hearing, the court stated that it was reviewing the face of all three complaints and would take the alleged facts as true when deciding the motion to dismiss. When Respondents asserted—outside the pleadings—that Petitioner was no longer a church member, she immediately disputed that assertion and requested the minutes of the meeting said to have removed her; the court responded that this would raise “an entire different standing issue.”

At the outset of the March 24, 2025 hearing, the court stated that the Second Amended Complaint "superseded" all previous complaints. Petitioner responded that the pleading requested judicial notice of the prior complaints and related back because the harms continued from the original complaint. Tr. 4:10–5:25, 21:13–22:4. She later carried that Rule 15(c) objection through the Alabama appeal. The point is not an independent federal question; it establishes that Petitioner timely contested the premise that amendment erased the earlier allegations and preserved federal objections.

After Petitioner called and examined four witnesses, she explained in her closing presentation that the asserted excommunication resulted from her coming to court; that church autonomy could not strip her of the right to seek judicial redress; and that her right "to address this Court is guaranteed in the First Amendment of the United States Constitution." Tr. 65:6–22. The court later asked her to identify her "ultimate goal." Tr. 73:20–24. Petitioner explained that she was trying to establish facts but could not do so without discovery. Tr. 74:18–21. She stated that she did not seek reinstatement and requested declaratory relief concerning compliance with the Church's bylaws. Tr. 75:3–18. Asked again what the parties were trying to accomplish, Petitioner began to state: "It doesn't matter what...." The court immediately responded: "There you go. That's all I need to hear. I'll get you an order." Tr. 77:1–9; App. 15a–17a. The transcript records no opportunity to complete the thought. It therefore does not establish that Petitioner abandoned either her contention that the challenged

acts were unlawful or her request for declaratory relief.

The following day, March 25, Respondent Haynes filed a proposed order. On March 26—two days after the hearing—the court adopted that proposed order verbatim and dismissed the entire action with prejudice. The order contained no findings, supplied no rationale, and cited no authority. It denied or declared moot all other motions, including discovery-related motions.

C. The decision below

On appeal, Petitioner argued that her pleaded civil claims remained justiciable, that objective questions could be resolved without deciding religious doctrine, that dismissal before discovery was improper, and that the proceedings denied meaningful access to a disabled self-represented litigant. She invoked the First and Fourteenth Amendments. Her appellate arguments did not anticipate that the court would treat her decision to emphasize declaratory rather than monetary relief as the absence of any justiciable controversy; Respondents had not advanced that theory below.

The Supreme Court of Alabama affirmed on a ground neither raised by Respondents nor decided by the trial court. No adversarial briefing had tested that ground. Its memorandum stated that Petitioner had “waived any claim for legal relief” because she emphasized declaratory rather than monetary relief. App. 5a. It concluded that, because she did not seek damages, reinstatement, or “any other cognizable judicial or legal relief,” nothing remained to settle

and any declaration would not affect her legal rights or obligations. App. 6a–8a.

The memorandum did not decide whether any pleaded claim required an ecclesiastical determination. It instead supplied a new threshold rationale: Petitioner’s deliberately limited request for relief left no justiciable controversy and no cognizable relief for a court to grant. It then affirmed the dismissal with prejudice.

Petitioner sought rehearing. She explained that a declaration that challenged actions were *ultra vires* and void would determine legality, compliance with governing rules, and the parties’ continuing legal relations. The court denied rehearing without opinion on July 10, 2026.

Petitioner also sought to supplement the appellate record with the civil case cover sheet filed with her original complaint after discovering that the sheet was absent from the clerk’s record. The motion was denied on July 9, 2025. Petitioner relies on that episode only to explain the record’s contents and her effort to preserve the civil character of the pleaded controversy—not to ask this Court to resolve a freestanding dispute over state record-completion rules.

REASONS FOR GRANTING THE PETITION

I. THE DISPOSITIVE GROUND FIRST APPEARED IN THE APPELLATE MEMORANDUM

Respondents moved to dismiss under Alabama Rule of Civil Procedure 12(b)(6). They contested

standing, the sufficiency of the pleadings, and the extent to which a civil court could examine church-related matters. They did not contend that Petitioner's request for declaratory relief itself left no justiciable controversy. The trial court's order supplied no findings, rationale, or authority; it simply adopted Respondent Haynes's proposed order and dismissed the entire action with prejudice.

The Alabama Supreme Court's memorandum introduced a different and dispositive premise. It reasoned that Petitioner had waived legal relief by emphasizing that she did not seek money or reinstatement and that a declaration therefore would not affect her legal rights or obligations. App. 5a-8a. That ground had not been tested by adversarial briefing, and no earlier ruling gave Petitioner notice that the legal effect of declaratory relief would control the case.

This is not a complaint that an appellate court merely used different words to affirm a familiar ruling. The new ground changed the governing inquiry. A Rule 12(b)(6) defense asks whether the pleaded allegations state a claim. The memorandum instead held that no justiciable controversy existed because the requested remedy could not alter legal relations. That threshold conclusion disposed of every claim with prejudice.

Petitioner challenged that conclusion on rehearing at the first available opportunity. She explained that a declaration concerning allegedly *ultra vires* acts would determine their legality and the parties' legal relations. The court denied rehearing without opinion. App. 11a. The record

therefore squarely presents whether a dispositive ground may first appear in the judgment itself, after the opportunity for ordinary adversarial presentation has passed.

II. DUE PROCESS REQUIRES NOTICE AND A MEANINGFUL OPPORTUNITY TO ADDRESS A NEW DISPOSITIVE GROUND

The Court has repeatedly treated notice and an opportunity to respond as indispensable when a court acts on a ground the parties did not present. In *Day v. McDonough*, 547 U.S. 198, 210 (2006), the Court required fair notice and an opportunity to present the parties' positions before a court dismissed on a timeliness ground raised on its own initiative. In *Wood v. Milyard*, 566 U.S. 463, 472–474 (2012), the Court held that an appellate court abused its discretion by resurrecting a defense the State had deliberately waived. In *Nelson v. Adams USA, Inc.*, 529 U.S. 460, 466–468 (2000), the Court required notice and an opportunity to respond before judgment imposed personal liability on a newly added party.

Those decisions arose in different procedural settings. Petitioner does not contend that their case-specific supervisory rules automatically govern state appellate procedure. She relies on the constitutional principle they express: when a court itself introduces a new, contestable, and dispositive ground, due process ordinarily requires notice and a meaningful opportunity to address it before the court uses that ground to terminate the case.

Nor does Petitioner challenge the general authority of an appellate court to affirm on a ground apparent from the record. The question is narrower. May the state court of last resort introduce a threshold theory the prevailing parties never raised, characterize the petitioner's requested relief in a legally contestable way, and use that characterization to affirm dismissal of the entire action with prejudice before the petitioner has any opportunity to address the theory?

III. THE NEW GROUND WAS CONTESTABLE AND OUTCOME DETERMINATIVE

The parties remained adverse. They disputed whether acts attributed to the Church's collective body were authorized, whether governing procedures were followed, whether the challenged acts were *ultra vires*, and whether those acts changed Petitioner's legal status and relations. After the action began, Respondents asserted that Petitioner's church membership had been terminated—an action Petitioner contended was *ultra vires* and retaliatory.

The memorandum did not find that Respondents conceded the requested declarations, that the intervening events erased the dispute, or that the parties no longer claimed opposing legal interests.

Instead, it inferred the absence of cognizable relief from Petitioner's refusal to seek money or reinstatement. That inference was open to direct legal answer. Alabama's Declaratory Judgment Act states that its purpose is to settle uncertainty concerning rights, status, and legal relations; it permits a declaration whether or not further relief is

or could be claimed. Ala. Code §§ 6-6-221, 6-6-223, 6-6-224. Petitioner's rehearing application relied on that distinction, but only after the dispositive judgment had already issued.

The issue is therefore not harmless surprise. Had the theory been raised before judgment, Petitioner could have addressed the continuing legal consequences she claimed, the specific declarations requested, the effect of those declarations on the parties' legal relations, and the statutory rule that declaratory relief need not accompany coercive relief. Instead, her restraint in requesting relief became the reason that no court could hear the controversy at all.

Petitioner expressly invoked the First Amendment right to seek judicial redress in the trial court. Tr. 65:18-22; App. 15a. She does not claim that the Petition Clause guarantees success on a civil claim or eliminates ordinary jurisdictional rules. The First Amendment matters here because the unexpected threshold ruling closed the action with prejudice after Petitioner had specifically objected that church-related concerns could not categorically deprive her of access to a civil forum. The court below neither decided an ecclesiastical question nor identified one that adjudication would require.

IV. THE FEDERAL QUESTION IS PRESERVED AND THIS CASE IS AN APPROPRIATE VEHICLE

The judgment is final, the Supreme Court of Alabama is the state court of last resort, and

rehearing was denied. Petitioner could not challenge the memorandum's new rationale before the memorandum existed. She raised the objection on rehearing, the first procedural opportunity available. The federal question therefore does not depend on requiring a self-represented litigant to predict a ground that Respondents had not asserted and the trial court had not stated.

This Court has refused to allow an unexpected state-law ground to prevent review where its application lacks fair support in the prior proceedings. *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 454-458 (1958). Petitioner does not ask this Court to decide Alabama declaratory-judgment law as a freestanding matter. She challenges the constitutionality of the procedure by which the new state-law ground was introduced and made conclusive against her.

The record contains everything necessary to decide that question: Respondents' stated grounds, the trial court's unexplained order, the appellate memorandum's express rationale, and Petitioner's rehearing challenge. The Court need not determine whether Petitioner's factual allegations are true, whether every claim is legally sufficient, or whether any issue ultimately encounters a protected religious question.

A limited disposition would suffice. The Court could vacate and remand so that the Alabama courts may consider the dispositive justiciability theory after Petitioner has had a meaningful opportunity to address it. That relief would neither dictate the result nor require a civil court to decide religious

doctrine. It would restore the adversarial sequence that was missing when the ground first appeared in the judgment.

CONCLUSION

The petition for a writ of certiorari should be granted. Alternatively, the Court should grant the petition, vacate the judgment, and remand for reconsideration after Petitioner has received notice and a meaningful opportunity to address the dispositive justiciability ground.

Respectfully submitted,

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