

**APPENDIX TO PETITION FOR A WRIT OF
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SUPREME COURT OF ALABAMA
UNPUBLISHED MEMORANDUM IN SUPPORT
OF AFFIRMANCE
MAY 22, 2026

Rel: May 22, 2026 NOTICE: This memorandum in support of affirmance will not be published. This unpublished memorandum may not be cited as precedent, may not be cited in arguments or briefs, and may not be used by any court within this state, except for the purpose of establishing the application of the doctrine of law of the case, *res judicata*, collateral estoppel, double jeopardy, or procedural bar. Notwithstanding the foregoing, a party may quote or cite this unpublished memorandum in an application for rehearing.

SUPREME COURT OF ALABAMA
OCTOBER TERM, 2025-2026

SC-2025-0205 Carolynn Elizabeth Wood v. David Lynn Haynes and West Side Baptist Church (Appeal from Calhoun Circuit Court (CV-24-900431)) SHAW, Justice. AFFIRMED. NO OPINION. See Rule 53(a)(1) and (a)(2)(F), Ala. R. App. P.

MEMORANDUM IN SUPPORT OF AFFIRMANCE
SHAW, Justice.

Carolynn Elizabeth Wood ("Wood"), acting pro se, appeals from the Calhoun Circuit Court's judgment dismissing her action against David Lynn Haynes ("Haynes") and West Side Baptist Church ("the Church"). Wood was hired part-time as the secretary at the Church and began working in that role on April 8, 2024. During her tenure as the church

secretary, Wood said, she raised questions regarding anonymous cash donations and the use of church social-media accounts and that she became increasingly frustrated with a "general lack of transparency" from Haynes. Wood alleged that she was then retaliated against by Haynes and was asked to resign from her church secretary position on July 29, 2024. Wood subsequently resigned. On July 30, 2024, Wood, acting pro se, filed a complaint, which she styled as a "motion for declaratory judgment, motion for injunctive relief, and motion for court-appointed counsel," naming Haynes, individually, as a defendant. Wood later purportedly named Haynes, in his official capacity as the pastor of the Church, as a defendant and added the Church as a defendant. In her original complaint, Wood stated that the parties had "reached an impasse concerning a number of financial and business-related functions," that her loss of employment caused emotional distress, and that Haynes's retaliation "alienated her from the only sources of community support she had." Wood amended her complaint several times, and, after each amendment, Haynes filed a motion to dismiss for failure to state a claim under Rule 12(b)(6), Ala. R. Civ. P. Wood also filed numerous motions asking the trial court to compel Haynes to respond to outstanding discovery requests. On March 4, 2025, Wood filed a "second amended complaint for declaratory relief and jury request." She requested a judgment declaring "that Defendant Haynes's actions were ultra vires and void." She again claimed that she had raised concerns regarding secretive cash donations, misuse of church social-media accounts, and lack of

transparency and accountability in church governance and financial management and was then retaliated against by Haynes. Her complaint asserted two direct claims against Haynes, one alleging constructive discharge and one alleging retaliation, as well as two derivative claims, one alleging Haynes's breach of fiduciary duty and one seeking a judgment declaring that Haynes had violated the Church's bylaws. Wood also asserted claims of defamation per se, disability discrimination, and "whistleblower retaliation." Haynes filed a motion to dismiss Wood's second amended complaint for failing to state a claim, pursuant to Rule 12(b)(6), with an attached memorandum. That memorandum argued that every claim in Wood's complaint failed to state a claim upon which relief could be granted. Wood filed a response in opposition to Haynes's motion to dismiss, arguing that her claims were "properly pleaded" and "sufficiently specific." Haynes filed a reply to Wood's response. On March 25, 2025, the trial court held a hearing on Haynes's motion to dismiss and Wood's motions to compel discovery. Wood called witnesses to establish her "standing" in the case after her excommunication from the Church.¹ After those witnesses testified and each party explained what they were seeking, the trial court asked Wood to explain what her "ultimate goal" of the action was, considering that the Church had excommunicated

¹ Wood was excommunicated from the Church in the fall of 2025, following the commencement of her lawsuit against the Church.

her and she said that she did not want her position as church secretary back. Wood responded that she had been excommunicated for "faulty reasons" and had not been given "due process." The trial court asked again what Wood was trying to accomplish, and Wood responded: "We're flushing out fact, Your Honor, which we can't because I don't have discovery." The trial court responded: "But what do you want? You're not a member. You can't enforce church rules if you're not a member. I'm trying to figure out what is your goal." The trial court asked if Wood wanted to become a church member again, and she responded that she was not asking for that, just a judgment declaring that the Church had violated its bylaws. The trial court stated: "I was trying to be more pragmatic about what we are trying to accomplish. That was me just trying to chase down what we're trying to accomplish here." Wood responded: "I don't believe that actually matters, what we're trying to accomplish." *Id.* The trial court then responded: "There you go. That's all I need to hear. I'll get you an order." On March 26, 2025, the trial court entered a judgment dismissing the case with prejudice. No findings of fact or citations to legal authority were included. The trial court denied, or declared moot, all other motions. *Id.* On March 28, 2025, Wood appealed.

On appeal, Haynes argues that Wood's purported derivative claims did not comply with Rule 23.1, Ala. R. Civ. P., because she did not allege that she had made a demand on the Church's directors or that a demand would have been futile; that her disability-discrimination claim was not a cause of action in Alabama and did not identify her disability or allege

that she asked for or was denied accommodations; that her claim alleging ultra vires acts did not allege tortious conduct; that her constructive discharge claim did not allege that she had been discharged for an impermissible purpose under either federal or Alabama law; that her defamation claim did not plead special damages; that she had admitted that no Alabama law supported a claim for "whistleblower retaliation" and had sought no relief for that claim; and that no damages were pleaded for her breach-of-fiduciary duty claim. Nevertheless, it appears that, in the trial court and on appeal, Wood has waived any claim for legal relief. Wood characterizes her claims as simply seeking a judgment declaring that the Church violated its bylaws, saying that she "specifically pursued her questions under the Alabama Declaratory Judgment Act which allows parties to seek a judicial determination of their rights and responsibilities." Wood's brief at 40.

Wood states that a judicial determination of her rights was "all [she] sought; not to harm her church, or her membership in her church; she was at an impasse that only the court could settle." *Id.* She contends that "parties can seek a declaratory judgment without needing to pursue further relief in the same action. Yet, the trial court implored Mrs. Wood to declare what her goal was." *Id.* at 41. She states that she "did not seek monetary damages, but equitable clarity and institutional accountability." *Id.* at 50.² At the March 25, 2025, hearing, when

² See also Wood's brief at v ("The underlying action principally sought declaratory and injunctive relief concerning nonprofit

asked what her goal was, Wood stated that she was trying to establish facts to demonstrate that she had been excommunicated for "faulty reasons" and had not been given "due process." When asked again what her goal was, she stated that what she was trying "to accomplish" with her claims did not "actually matter." Given her characterization of her claims, Wood has not shown that she presented the trial court with a justiciable controversy that affects her legal rights such that the trial court had subject-matter jurisdiction to consider her action seeking declaratory relief. Further, for all that appears, she seeks no other relief, monetary or otherwise. As discussed in *City of Orange Beach v. Boles*, [Ms. SC-2024-0850, Oct. 24, 2025] ___ So. 3d ___, ___ (Ala. 2025): "We note that, under the Declaratory Judgment Act, § 6-6-221, Ala. Code 1975, the 'purpose' of a declaratory judgment 'is to settle and to afford relief from uncertainty and insecurity with respects to rights, status, and other legal relations.' On the issue of mootness in the declaratory-judgment setting, the Court has explained: "'For a court to grant declaratory relief, it must have before it a bona fide, presently existing justiciable controversy that affects the legal rights or obligations of the parties. See *King v. Calhoun Community College*, 742 So. 2d 795, 797 (Ala. Civ. App. 1999); see also *State ex rel. Baxley v. Johnson*,

corporate governance and member rights, rather than monetary damages."), and 17 (characterizing the second amended complaint as "seek[ing] equitable -- not monetary -- relief" and "not seeking damages").

293 Ala. 69, 73, 300 So. 2d 106, 110 (1974) ("There must be a bona fide existing controversy of a justiciable character to confer upon the court jurisdiction to grant declaratory relief under the declaratory judgment statutes"). "Unless the trial court has before it a justiciable controversy, it lacks subject matter jurisdiction and any judgment entered by it is void ab initio." *Ex parte State ex rel. James*, 711 So. 2d 952, 960 n.2 (Ala. 1998) (citing *Stamps v. Jefferson County Bd. of Educ.*, 642 So. 2d 941, 945 (Ala. 1994); *Luken v. BancBoston Mortg. Corp.*, 580 So. 2d 578 (Ala.1991); *Wallace v. Burleson*, 361 So. 2d 554, 555-56 (Ala. 1978))." (First emphasis added; some emphasis omitted).

Here, despite her claims alleging constructive discharge, retaliation, defamation per se, and disability discrimination, Wood ultimately sought a judgment declaring that the Church had violated its bylaws and that "Defendant Haynes's actions were ultra vires and void." Wood -- based on her own representations in the trial court and on appeal -- is not seeking damages, to be reinstated to her position as church secretary, or any other cognizable judicial or legal relief. Nothing remains for the trial court "to settle and to afford relief from" under the Declaratory Judgment Act, § 6-6-21, Ala. Code 1975, and any such determination would not affect her "legal rights or obligations." *Hunt Transition & Inaugural Fund, Inc. v. Grenier*, 782 So. 2d 270, 272 (Ala. 2000); see also *Creola Land Dev., Inc. v. Bentbrooke Hous., L.L.C.*, 828 So. 2d 285, 288 (Ala. 2002) ("A controversy is justiciable where present 'legal rights are thwarted or affected [so as] to warrant proceedings under the Declaratory

Judgment statutes." (citation omitted; emphasis added)). Wood states in her brief: "The lack of a justiciable controversy was not raised by ... Haynes," and "the trial court did not determine ... that there was no justiciable controversy." Wood's brief at 42-43. However, the trial court dismissed the action without explaining its reasoning, and this Court may "affirm the judgment appealed from if supported on any valid legal ground." *Smith v. Equifax Servs., Inc.*, 537 So. 2d 463, 465 (Ala. 1988) (citation omitted). Based on the foregoing, a justiciable controversy does not exist between the parties, and, thus, the trial court did not err in dismissing this case. Stewart, C.J., and Bryan, Mendheim, and McCool, JJ., concur.

SUPREME COURT OF ALABAMA
ORDER DENYING MOTION TO SUPPLEMENT
THE RECORD
JULY 9, 2025

IN THE SUPREME COURT OF ALABAMA

July 9, 2025 SC-2025-0205 Carolynn Elizabeth Wood
v. David Lynn Haynes and West Side Baptist
Church (Nominal Defendant in the Court below)
(Appeal from Calhoun Circuit Court: CV-24-900431).
ORDER The "Objection to Incomplete Record on
Appeal and Notice of Material Omissions," being
treated as a Motion to Supplement the Record on
Appeal, filed by Carolynn Elizabeth Wood on June
27, 2025, having been fully considered, IT IS
ORDERED that the Motion is DENIED. Witness my
hand and seal this 9th day of July, 2025. Clerk of
Court, Supreme Court of Alabama FILED July 9,
2025 Clerk of Court Supreme Court of Alabama

CIRCUIT COURT OF CALHOUN COUNTY,
ALABAMA
DISMISSAL WITH PREJUDICE
MARCH 26, 2025

IN THE CIRCUIT COURT OF CALHOUN
COUNTY, ALABAMA

WOOD CAROLYNN ELIZABETH, Plaintiff,

V. Case No.: CV-2024-900431
HAYNES DAVID,

WEST SIDE BAPTIST CHURCH, Defendants.

Order

This matter, having come before the Court on March 24, 2025, on the Defendants' Motion to Dismiss the Plaintiff's Second Amended Complaint, the Plaintiff's Response and the Defendant's Reply, and the Court having heard oral argument from the parties, the Defendants' Motion to Dismiss is GRANTED and it is ORDERED, ADJUDGED and DECREE that this matter is DISMISSED WITH PREJUDICE. All other pending Motions are hereby denied and/or declared as MOOT. The costs of court are taxed against the Plaintiff. DONE this 26th day of March, 2025. /s/ TIMOTHY C BURGESS
CIRCUIT JUDGE

SUPREME COURT OF ALABAMA
CERTIFICATE OF JUDGMENT AND REHEARING
DENIAL
JULY 10, 2026

SC-2025-0205

Carolynn Elizabeth Wood v. David Lynn Haynes and
West Side Baptist Church (Appeal from Calhoun
Circuit Court: CV-24-900431).

CERTIFICATE OF JUDGMENT WHEREAS, the ruling on the application for rehearing filed in this case and indicated below was entered in this cause on July 10, 2026: APPLICATION OVERRULED. NO OPINION. Shaw, J. -- Stewart, C.J., and Bryan, Mendheim, and McCool, JJ., concur. WHEREAS, the above referenced cause has been duly submitted and considered by the Supreme Court of Alabama and the judgment indicated below was entered in this cause on May 22, 2026: AFFIRMED. NO OPINION. Shaw, J. -- Stewart, C.J., and Bryan, Mendheim, and McCool, JJ., concur. NOW, THEREFORE, pursuant to Rule 41, Ala. R. App. P., IT IS HEREBY ORDERED that this Court's judgment in this cause is certified on this date. IT IS FURTHER ORDERED that, unless otherwise ordered by this Court or agreed upon by the parties, the costs of this cause are hereby taxed as provided by Rule 35, Ala. R. App. P. I, Megan B. Rhodebeck, certify that this is the record of the judgment of the Court, witness my hand and seal. Clerk, Supreme Court of Alabama

**Additional material
from this filing is
available in the
Clerk's Office.**