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ELECTIONS - LOUISIANA

Thebeau v. Smith

Court of Appeal of Louisiana, Second Circuit - September 8, 2014 - So.3d - 49, 665 (La.App. 2 Cir. 9/8/14)

City resident brought action against candidate contesting his qualifications to run for mayor. The District Court entered judgment in favor of resident. Candidate appealed.

The Court of Appeal held that:

- Candidate was not a valid elector in city at the time of his qualification for mayor, and
- Candidate was not domiciled in nor did he reside in city for the year immediately preceding his candidacy for mayor.

Candidate was not a valid elector in city at the time of his qualification for mayor, as required by statutory qualifications for mayor, even though he changed his address to city on the date he qualified for mayor, where candidate had previously listed his address in another city for all important documents, and candidate's original voter registration application listed address in another city.

Candidate was not domiciled in nor did he reside in city for the year immediately preceding his candidacy for mayor, as required by statutory qualifications for mayor, even though candidate and his relatives testified that he was domiciled in city, where candidate's driver's license, voter registration, bank accounts, and corporate addresses had been in another city for many years preceding his candidacy.

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