

Bond Case Briefs

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Abbott v. City of Paris, Texas

Court of Appeals of Texas, Texarkana - March 7, 2014 - S.W.3d - 2014 WL 895195

Owner of trailer park, an approved, non-conforming use, was denied approval to expand the park unless the property was rezoned.

Owner alleged causes of action against the City for (1) regulatory taking, (2) denial of due process of law, and (3) denial of equal protection under the law. In response, the City filed a plea to the jurisdiction alleging that owner failed to present any statute or recognized theory of law that would satisfy a valid waiver of governmental immunity and further claiming that Abbott failed to exhaust his administrative remedies. The trial court granted the City's plea to the jurisdiction.

The Court of Appeals affirmed the City's plea to the jurisdiction, finding that owner, once again, failed to exhaust all available administrative remedies.