

Bond Case Briefs

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EMINENT DOMAIN - MISSISSIPPI

Carthan v. Patterson

Court of Appeals of Mississippi - March 11, 2014 - So.3d - 2014 WL 930791

Property owner filed suit alleging that municipality's demolition of his warehouse as a nuisance was an unconstitutional taking. Municipality filed motion for summary judgment. The Circuit Court granted motion. Property owner appealed.

The Court of Appeals held that property owner's letter appealing municipality's demolition of his warehouse failed to comply with requirements for bill of exceptions, and thus property owner failed to perfect his appeal of municipality's act and trial court did not have jurisdiction over owner's subsequent unconstitutional taking action, where letter failed to embody the facts and proceedings below.