

Bond Case Briefs

Municipal Finance Law Since 1971

INVERSE CONDEMNATION - WYOMING

Byrnes v. Johnson County Commissioners

Supreme Court of Wyoming - January 13, 2020 - P.3d - 2020 WL 132198 - 2020 WY 6

Property owner filed inverse condemnation action against county, Department of Transportation, and other defendants.

The District Court granted State's motion for judgment as a matter of law (JMOL). Property owner appealed.

The Supreme Court held that:

- Owner failed to demonstrate direct taking of her property;
- Owner failed to demonstrate indirect taking of her property;
- There was no evidence of preconstruction value of property, and thus owner failed to establish before and after measure of damages for a partial taking;
- Evidence regarding estimated costs related to amending driveway was insufficient to establish value of property allegedly taken, as measure of damages for a partial taking; and
- Owner was not entitled to default judgment against Department.