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MANDAMUS - LOUISIANA

Crooks v. State Through Department of Natural Resources

Supreme Court of Louisiana - January 27, 2023 - So.3d - 2023 WL 526075 - 2022-00625 (La. 1/1/23)

Property owners, who had been recognized as owners of riverbanks and awarded damages for mineral royalties received from riverbank leases in class action suit brought against Louisiana Department of Natural Resources (LDNR) petitioned for writ of mandamus to enforce payment of royalties judgment.

The District Court denied writ and the Third Circuit Court of AppeaL reversed. Department applied for writ of certiorari, which was granted.

The Supreme Court held that mandamus did not lie to compel payment of judgment.

Satisfaction of judgment awarded to landowners in underlying proceeding, in which landowners were recognized as owners of riverbanks and granted damages for mineral royalties received from riverbank leases, required legislative appropriation, and thus payment of judgment was discretionary, rather than ministerial duty, and mandamus did not lie to compel payment, even though landowners argued funds sought were not public funds; landowners cited no controlling constitutional or statutory provisions that allocated funds for purpose of executing judgment such as one at issue, and funds received from mineral leases were deposited into state’s general fund.

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