

# **Bond Case Briefs**

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## **BOND VALIDATION - OKLAHOMA**

### **Pike Off OTA, Inc. v. Oklahoma Turnpike Authority**

**Supreme Court of Oklahoma - May 23, 2023 - P.3d - 2023 WL 3592641 - 2023 OK 57**

Plaintiffs brought action against the Oklahoma Turnpike Authority (OTA) for injunctive and/or mandamus relief, challenging the OTA's authority to construct three proposed turnpikes.

The District Court granted the OTA's motion to dismiss. Plaintiffs appealed, and the Supreme Court retained the case.

The Supreme Court held that:

- Oklahoma Constitution permitted Legislature to enact statute conferring exclusive original jurisdiction upon Supreme Court to hear and determine application for bond validation to construct and operate turnpikes;
- Plaintiffs' claims fell within the Supreme Court's exclusive jurisdiction; and
- Plaintiffs not have a clear legal right to the mandatory injunctive and/or mandamus relief they sought.

The Oklahoma Constitution permitted the Legislature to enact statute conferring exclusive original jurisdiction upon the Supreme Court to hear and determine an application for bond validation to construct and operate turnpikes, and thus, the statute was constitutional, notwithstanding provision of the Constitution that gave all district courts unlimited original jurisdiction, since the district courts' jurisdiction was limited where otherwise provided in the Constitution, and the Constitution expressly empowered the Supreme Court to exercise jurisdiction conferred by statute, including the jurisdiction conferred upon it in the turnpike statute.

Claims brought in action for injunctive and/or mandamus relief, which alleged the Oklahoma Turnpike Authority (OTA) did not have statutory authorization to construct proposed turnpikes and that OTA exceeded its statutory authorization by seeking an additional bond issue to complete a turnpike, fell within the Supreme Court's exclusive jurisdiction, and the Court gained exclusive jurisdiction to consider the questions raised by the action when the OTA filed its own application with the Court to validate the proposed bonds for these turnpikes.

Plaintiffs who brought action challenging Oklahoma Turnpike Authority's (OTA) authority to construct three proposed turnpikes did not have a clear legal right to the mandatory injunctive and/or mandamus relief they sought compelling OTA to perform, comply with, and abide by all legal duties, obligations, and due process rights of plaintiffs and other Oklahoma citizens; plaintiffs failed to specify any legal duty or obligation that OTA would violate at some point in the future, and their claim demanding OTA comply with some undefined laws or statutory duties was contingent upon whether Supreme Court approved OTA's proposed bond issue for these turnpikes, and so the claim was dependent upon the Court exercising its exclusive jurisdiction in OTA's separate bond validation proceeding.

