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EMINENT DOMAIN - LOUISIANA

Watson Memorial Spiritual Temple of Christ v. Korban

Supreme Court of Louisiana - June 28, 2024 - So.3d - 2024 WL 3218549 - 2024-00055 (La. 6/28/24)

Landowners filed petition for writs of mandamus and fieri facias against executive director of city's sewerage and water board, in his official capacity, seeking to compel the payment of damages that had been awarded to landowners in their prior inverse-condemnation actions against board but for which board had not allocated funds.

The District Court denied executive director's exception of res judicata, declining to give preclusive effect to a decision of the United States District Court for the Eastern District of Louisiana, as affirmed by the United States Court of Appeals for the Fifth Circuit, dismissing landowners' § 1983 action against board and its executive director seeking to collect their judgment, but the District Court granted executive director's exception of no cause of action. On landowners' appeal, the Fourth Circuit Court of Appeal reversed and remanded. Executive director petitioned for a writ of certiorari.

The Supreme Court held that:

- Decision in prior federal suit did not have res judicata effect as to landowners' claims;
- As a matter of first impression, the payment of just compensation for a judgment arising from inverse condemnation is a ministerial, non-discretionary duty in light of the Louisiana Constitution's just-compensation clause, and mandamus may therefore issue to enforce a final judgment against a political subdivision for just compensation; and
- District court would be required, on remand, to tailor a plan to ensure satisfaction, within a reasonable period of time, of landowners' judgment for damages.

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