

FOR IMMEDIATE NEWS RELEASE

NEWS RELEASE # 21

FROM: CLERK OF SUPREME COURT OF LOUISIANA

The Opinions handed down on the 24th day of March, 2005, are as follows:

BY CALOGERO, C.J.:

2005-C- 0758

MARILYN LANDIAK v. CEDRIC L. RICHMOND, FOX MCKEITHEN, SECRETARY OF STATE OF LOUISIANA, AND KIMBERLY WILLIAMSON BUTLER, CLERK OF CRIMINAL COURT OF ORLEANS PARISH (Parish of Orleans)

For the reasons to be recited in an opinion to follow, judgment is rendered in favor of plaintiff and against defendants on plaintiff's petition objecting to candidacy, declaring Cedric Richmond ineligible as a candidate for the office of Councilmember District "D" for the City of New Orleans, and he is accordingly disqualified. It is hereby directed that the Secretary of State of the State of Louisiana be served with a certified copy of the final judgment in this case pursuant to La. Rev. Stat. 18:1410. The Secretary of State is ordered to void those votes for Cedric Richmond that may have been cast in the on-going absentee voting or that might be cast in the election of April 2, 2005, should the Secretary of State be unable to restructure the ballot and/or voting machines before that time. *Id.* COURT OF APPEAL JUDGMENT REVERSED; JUDGMENT RENDERED.

JOHNSON, J., recused.

03/24/2005

SUPREME COURT OF LOUISIANA

No. 2005-C-0758

MARILYN LANDIAK

VERSUS

**CEDRIC L. RICHMOND, FOX McKEITHEN, SECRETARY OF STATE
OF LOUISIANA, AND KIMBERLY WILLIAMSON BUTLER, CLERK OF
CRIMINAL COURT OF ORLEANS PARISH**

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL
FOURTH CIRCUIT, PARISH OF ORLEANS**

DECREE

For the reasons to be recited in an opinion to follow, judgment is rendered in favor of plaintiff and against defendants on plaintiff's petition objecting to candidacy, declaring Cedric Richmond ineligible as a candidate for the office of Councilmember District "D" for the City of New Orleans, and he is accordingly disqualified.¹ It is hereby directed that the Secretary of State of the State of Louisiana be served with a certified copy of the final judgment in this case pursuant to La. Rev. Stat. 18:1410. The Secretary of State is ordered to void those votes for Cedric Richmond that may have been cast in the on-going absentee voting or that might be cast in the election of April 2, 2005, should the Secretary of State be unable to restructure the ballot and/or voting machines before that time. *Id.*

COURT OF APPEAL JUDGMENT REVERSED;

JUDGMENT RENDERED.

¹ La. Sup. Ct. Rules, Rule X, § 5(C) provides that no application for rehearing shall be entertained in election cases.