

5/15/01

SUPREME COURT OF LOUISIANA

No. 00-CC-2487

c/w

No. 00-CC-2496

c/w

No. 00-CC-2498

BENTON JOHNSON

VERSUS

FIRST NATIONAL BANK OF SHREVEPORT, ET AL.

KNOLL, JUSTICE, concurring.

I concur with the majority that under the circumstances of this case, these unique set of facts justify a reduction in the appeal costs. I write separately to state that in my view, these facts support a “proper showing” for the reduction as provided by LA. CODE CIV. PROC. art. 2126; therefore, the trial court did not abuse its discretion in reducing the appeal costs. These unique facts supporting the reduction do not infringe upon the clerk of court’s statutory authority in charging appeal costs in other appeals and is only applicable to this case.