

10/10/2008 "See News Release 062 for any Concurrences and/or Dissents."

**SUPREME COURT OF LOUISIANA**

**No. 2008-CC-1673**

**ZACHARY FINANCIAL, INC.**

**VERSUS**

**PAULINE B. DARJEAN AND JOHN D. DARJEAN**

**PER CURIAM**

WRIT GRANTED. Although La. C.C.P. art. 2164 authorizes an award of damages for frivolous appeals, it does not authorize damages for a frivolous writ application, even if equitable considerations could warrant the same. Furthermore, this relator's argument conceivably is not frivolous. Therefore, we grant the writ application and reverse the \$1,500.00 sanction imposed by the court of appeal.