

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.