

SUPREME COURT OF LOUISIANA

No. 2026-CD-00594

GARY CROCKETT

VS.

**STATE OF LOUISIANA; JEFF LANDRY, IN HIS OFFICIAL CAPACITY
AS GOVERNOR OF THE STATE OF LOUISIANA, ET AL.**

C/W

**CHELSEY RICHARD NAPOLEON, IN HER OFFICIAL CAPACITY AS
CLERK OF COURT FOR ORLEANS PARISH**

VS.

**CITY OF NEW ORLEANS; JEAN PAUL "J.P." MORRELL IN HIS
OFFICIAL CAPACITY AS PRESIDENT OF THE NEW ORLEANS CITY
COUNCIL; HELENA MORENO IN HER CAPACITY AS THE MAYOR OF
THE CITY OF NEW ORLEANS & CALVIN JOHNSON, IN HIS
CAPACITY AS CITY APPOINTED INTERIM CLERK OF COURT FOR
ORLEANS PARISH**

*On Supervisory Writ to the 19th Judicial District Court, Parish of East Baton
Rouge*

GRIFFIN, J., would grant rehearing and assigns reasons.

The majority disenfranchises thousands of New Orleanians, violates both the state and federal right to vote and the due process clauses;¹ violates the equal protection clauses of the state and federal constitutions; allows the legislature to violate the voting rights in any election it dislikes – whether in Orleans, Union, St. Tammany, or anywhere else – essentially ignores the public notice requirement for local and special laws;² splits from the only two State Supreme Court’s on whose constitutions our Framers *explicitly* based our right to vote provision (though, this

¹ See e.g., *Reynolds v. Sims*, 377 U.S. 533, 554-55 (1964), La. Const. art. I §10, Michael S. Kang, *Electoral Due Process*, 120 NW. U. L. REV. 925, 978 (2026), Jessica Bulman-Pozen, Miriam Seifter, *Countering the New Election Subversion: The Democracy Principle and the Role of State Courts*, 2022 WIS. L. REV. 1337, 1360 (2022), Michael T. Morley, *The Independent State Legislature Doctrine*, 90 FORDHAM L. REV. 501, 548 (2021).

² La. Const. art. III § 13.

fact was not known on original hearing);³ and, twists the meaning of “new office” beyond recognition.⁴ According to the majority, the right to vote in La. Const. art. I § 10 cannot protect a term in office from legislative abolition of that office, even after votes were cast and during the respective term.

For the reasons assigned in my dissent on original hearing and for these new reasons, I dissent.

³ Records of the Louisiana Constitutional Convention of 1973, Journal of the Proceedings, volume I, page 87-88 (Journal Page 4-5), July 6, 1973, 11th Day of the Proceeding (noting the provision was based on the Illinois and Montana Constitutions and that the only difference with Illinois was that it did not automatically bar interdicts from voting), and *see Id.* at page 284 (Journal Page 9), July 6, 1973, 28th Day of the Proceeding (citing Ill. Const. art. III § 3, providing for free and fair elections, as partial basis for provisions allows Louisiana legislatures some control over elections). *Tully v. Edgar*, 171 Ill. 2d 297 (1996) (striking down state law that abolished office after votes were cast and before the term ended), *McDonald v. Jacobsen*, 409 Mont. 405, 428, 515 P.3d 777, 792 (2022)(finding that “as provided by law” does not give legislature *carte blanche* power to change judicial election because “even when a process, generally, had been delegated to the Legislature, it was “not without constitutional bounds” as determined by the objectives of the Framers.”)

⁴ La. Const. art. V § 28 establishes the terms for clerks of court and § 30 establishes who shall be the clerk when a vacancy arises and who shall appoint the clerk in the absence of a valid elected official.