

AIMEE BOYD ROBINSON

VERSUS

PRISCILLA GONZALEZ, ET AL

15TH JUDICIAL DISTRICT COURT

DOCKET NO. 20234480

LAFAYETTE PARISH, LOUISIANA

JUDGMENT

This matter is properly before the Court for a bench trial on a Petition Objecting to the Candidacy of Priscilla Gonzalez. Present in Court were:

Gary McGoffin, for Plaintiff Aimee Boyd Robinson;

John Cook, for Plaintiff Aimee Boyd Robinson;

Aimee Boyd Robinson, Plaintiff;

Priscilla Gonzalez, *pro se*, Defendant;

Lawrence E. Marino, for Defendant Louis J Perret;

Clearley W. Fontenot, for Defendant Louis J Perret;

Aaron Long, for the Louisiana Department of Revenue.

After considering the law, evidence, and testimony in this matter, the Court Orders the following:

Defendant, Priscilla Gonzalez, filed a Notice of Candidacy on August 10, 2023, seeking candidacy in the election for Lafayette City-Parish Mayor-President. Also on August 10, 2023, Ms. Gonzalez registered to vote in Lafayette Parish, and requested and received a Louisiana State ID. Plaintiff, Aimee Boyd Robinson filed a Petition Objecting to the Candidacy of Priscilla Gonzalez on August 16, 2023.

The Lafayette City-Parish Consolidated Government Home Charter Rule Section 3-03(A) indicates that in order to qualify for Mayor – President one shall be at least 18 years of age and a qualified elector of the parish at the time of qualification and shall have been legally domiciled and shall have actually resided within the parish for at least the one year immediately preceding the time established by law for qualifying for office.

In *Herpin v. Boudreaux*, 98-306 (La. App. 3 Cir. 3/5/98), 709 So. 2d 269, 270, writ denied, 98-0578 (La. 3/11/98), 712 So. 2d 859, the Court indicated that generally, the laws governing the conduct of elections should be liberally construed so as to promote rather than defeat a candidacy. Any doubt as to the qualifications of a candidate should be resolved in favor of permitting the candidate to run for public office.

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Ashley Chamberlain

Lafayette Parish
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After hearing testimony and considering evidence in this matter, it is necessary for the Court to consider the laws surrounding domiciliary status. Louisiana Civil Code article 38 states that the domicile of a natural person is the place of his habitual residence. Louisiana Civil Code Article 44 indicates that domicile is maintained until acquisition of a new domicile. A natural person changes domicile when he moves his residence to another location with the intent to make that location his habitual residence. When determining domicile for the purpose of candidacy, the court considered the following.

On the Notice of Candidacy (Qualifying Form) the candidate shall certify that they have filed their federal and state income tax returns or have filed for an extension. A representative from the Department of Revenue testified that as of August 10, 2023, the Department had no record of Ms. Priscilla Gonzalez. Although Ms. Gonzalez attempted to show the Court that she may have filed her taxes, the documents did not rise to the level of evidentiary proof of filing. Further, the purported filing was on August 17, 2023, seven days after qualifying.

During the trial in this matter, Ms. Gonzalez testified herself that she did not have the intent to remain in Lafayette until she executed a power of attorney on July 11, 2023. However, she testified that she traveled between Texas and Louisiana starting in or about November of 2020, after running for office in Corpus Christi, Texas. She further stated that it was not until she became power of attorney for a family member who resides in Lafayette, did she “set in stone” her decision to remain in this parish. As Ms. Gonzalez’s intent to remain in this parish did not become solidified until a little over one month ago, Ms. Gonzalez was not domiciled in the state of Louisiana nor the parish of Lafayette for the requisite one year prior to qualification.

Ms. Gonzalez registered to vote on August 10, 2023, she further testified that she has never voted in this parish. This Court takes judicial notice of the fact that on line 4 of her Qualifying form she indicated “none” when it asked her for in which parish, ward and precinct she was a “duly qualified elector.” She also indicated that she does not have a Louisiana Driver’s License; she only just received a Louisiana ID on August 10, 2023.

Lastly, Ms. Gonzalez presented no evidence to controvert the plaintiff’s representations that she is not domiciled in this parish.

After a review of Louisiana jurisprudence this Court agrees with others in that it is imperative to limit candidacy for political office to citizens who are vested in the district they

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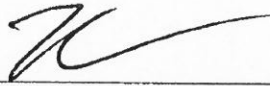

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aspire to represent. Due to Ms. Gonzalez not having been domiciled in this parish for the requisite one year prior to qualification, she is *not qualified* to be a candidate in this election.

All costs in this matter are to be split between all parties.

IT IS HEREBY ORDERED ADJUDGED AND DECREED, that the Petition Objecting to the Candidacy of Priscilla Gonzalez is **GRANTED**.

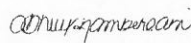
THUS DONE AND SIGNED this 18th day of August, 2023, at 6:47 p.m., in Lafayette, Louisiana.



VALERIE GOTCH GARRETT
15TH JUDICIAL DISTRICT COURT

PLEASE SERVE ALL PARTIES.

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