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May 13, 2026

VIA Email

The Honorable Freddie King III
Council Member, New Orleans City Council
1300 Perdido Street, Room 2W70
New Orleans, Louisiana 70112

Dear Council Member King:

The New Orleans City Council's May 11 resolutions now trigger serious consequences under Louisiana's usurper statutes, including the possible forfeiture of your own office. Resolution R-26-194 purports to appoint retired Judge Calvin Johnson to assume the duties of a supposedly "vacant office of Orleans clerk of court." Resolution R-26-195 purports to call a special election to fill that same supposed vacancy. Both resolutions rest on the erroneous premise that Act 15 "creates a new office" and that, because "no person has yet been elected" to that office, it "is vacant." It is not.

As my May 8 letter explained, Act 15 did not create a new or vacant office. It abolished the former criminal clerk's office, transferred that office's authority, duties, records, and funds to the former civil clerk's office, and renamed that continuing office the clerk of court for the parish of Orleans. Chelsey Richard Napoleon is the clerk of court for the parish of Orleans. There is no vacancy for the Council to fill and no special election for it to call. Accordingly, I specifically urged you then "to exercise restraint while the Louisiana Supreme Court addresses the very legal questions [the District Attorney] appears to presume decided." Yet you and four of your fellow council members knowingly and intentionally refused to do so and opted to aid and abet the usurpation of the officeholder, Chelsey Richard Napoleon, by voting in favor of both resolutions.

Your adoption of those resolutions now implicates Louisiana's usurper statutes. *See* La. R.S. 42:71 *et seq.* If Judge Johnson attempts to assume the office without lawful authority, I will be required to seek expedited judicial relief. *See* La. R.S. 42:74. Judge Johnson—who appears to be an innocent bystander to the Council's *ultra vires* action—would face personal exposure for fines or imprisonment, La. R.S. 42:71, damages, La. R.S. 42:82, and litigation costs, La. R.S. 42:84. More fundamentally, you, four of your colleagues, the District Attorney, and the Mayor have put your own offices in jeopardy as “public officer[s] who g[a]ve[] adherence to, or in any manner recognize[d] the authority of any usurper.” La. R.S. 42:72. For the consequence of that under Louisiana law is “forfeit[ure of] his office.” *Id.* And the Governor has the authority to fill any vacancies created by those forfeitures. La. R.S. 42:73, 75.

To avoid further litigation and the statutory consequences described above, you should immediately rescind or suspend implementation of Resolutions R-26-194 and R-26-195 as well as officially retract your support for this usurpation of Chelsey Richard Napoleon's office and take no further action supporting or recognizing the fictional new office or Judge Johnson's appointment to it. This dispute is already before the Louisiana Supreme Court, which stayed a related preliminary injunction Sunday night and should soon confirm that Act 15 created no vacancy and Chelsey Richard Napoleon remains the clerk of court for Orleans Parish. Until that Court rules, no public official should attempt to displace her or give effect to a competing claim to her office.

Sincerely,

A handwritten signature in blue ink that reads "Liz Murrill". The signature is written in a cursive, flowing style.

Liz Murrill
Attorney General

cc: Mayor Helena Moreno
District Attorney Jason Williams
Judge Calvin Johnson
Council President J.P. Morrell
Council Vice President Matthew Willard
Council Member Aimee McCarron
Council Member Jason Hughes