

LOUISIANA COURT OF APPEAL, THIRD CIRCUIT

Kevin Cavell v. Kevin Patrick Johnson, Jr.

CA 26-117 · No. CA 26-117 · Decided March 4, 2026

SUMMARY

The Louisiana Court of Appeal, Third Circuit, affirmed dismissal of Kevin Cavell’s challenge to Kevin Patrick Johnson, Jr.’s qualifications for the Oakdale Police Chief election. The court held that Cavell failed to prove that the Deputy Chief of Police position was part of the classified civil service, which would have prohibited Johnson from candidacy under Louisiana Constitution article 10, section 9. Johnson’s name was therefore allowed to remain on the ballot for the May 16, 2026 primary election.

CASE DETAILS

COURT	Louisiana Court of Appeal, Third Circuit
WRITING FOR THE COURT	Gary J. Ortego; Jonathan W. Perry; Guy E. Bradberry
JURISDICTION	Louisiana Court of Appeal, Third Circuit
DECIDED	March 4, 2026
DOCKET	CA 26-117
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment of the Thirty-Third Judicial District Court, Allen Parish, dismissing a petition challenging Kevin Patrick Johnson, Jr.'s qualifications to run for Oakdale Police Chief.
STANDARD OF REVIEW	The appellate court treated whether the Deputy Chief position was in the classified service as a factual determination and reviewed the entire record to determine whether it supported the trial court's finding. The court also stated that a decision based on an erroneous application of law is not entitled to deference.
PRECEDENTIAL VALUE	Unknown
PARTIES	Kevin Cavell v. Kevin Patrick Johnson, Jr., Louisiana Secretary of State, Allen Parish Clerk of Court

TOPICS

- election contests
- election law
- appellate procedure
- statutory interpretation
- constitutional law

PRACTICE AREAS

election law

constitutional law

municipal law

appellate procedure

statutory interpretation

QUESTIONS PRESENTED

1. Whether Kevin Patrick Johnson, Jr.'s position as Deputy Chief of Police for Oakdale was an officer or employee in the classified service within the meaning of La. Const. art. 10, § 9, thereby prohibiting him from qualifying as a candidate for Oakdale Police Chief.
2. Whether the trial court erred in dismissing Cavell's election-qualification challenge after finding that he failed to prove the Deputy Chief position was in the classified service.

HOLDINGS

1. Cavell failed to prove that the Oakdale Deputy Chief of Police position was a classified-service position; therefore, La. Const. art. 10, § 9 did not bar Johnson from qualifying as a candidate for Oakdale Police Chief.
2. Election laws governing candidate qualifications and challenges should be liberally interpreted to promote candidacy rather than defeat it.

KEY QUOTATIONS

“Courts must liberally interpret the laws governing the conduct of elections so as to promote candidacy rather than defeat it.” (at 2)

“The question presented to this court is whether the Deputy Chief for the Oakdale Police Department is “an officer or employee in the classified service” such that La. Const. art. 10, § 9 prohibits Mr. Johnson from qualifying as a candidate for election to public office, in this case Police Chief of Oakdale.” (at 5)

FACTUAL BACKGROUND

Kevin Cavell and Kevin Patrick Johnson, Jr. were the only candidates who qualified on February 11, 2026, for the May 16, 2026 primary election for Oakdale Chief of Police. Cavell challenged Johnson's candidacy, alleging that Johnson was Oakdale's Deputy Chief of Police and that the position was in the classified civil service. At the hearing, Johnson testified about his employment, and Interim Oakdale Chief of Police Webster Chamberlain testified concerning the purpose and status of the Deputy Chief position. The trial court found that Cavell failed to prove that the Deputy Chief position was in the classified service.

PROCEDURAL HISTORY

Kevin Cavell filed a petition under La. R.S. 18:492(A)(4) challenging Johnson's candidacy, alleging that Johnson's position as Oakdale Deputy Chief of Police was in the classified civil service and therefore barred him from seeking elected office under La. Const. art. 10, § 9. After a February 24, 2026 hearing, the trial court found that the Deputy Chief position was not a civil-service position and dismissed the petition. Cavell timely appealed, and the court of appeal affirmed, ordering that Johnson's name remain on the ballot.

DISPOSITION

affirmed

CASES CITED

- Russell v. Goldsby, 00-2595 (La. 9/22/00), 780 So. 2d 1048
- Landiak v. Richmond, 05-758 (La. 3/30/05), 899 So. 2d 535
- Ramirez v. Watkins, 23-411, p. 3 (La. App. 5 Cir. 8/23/23), 369 So. 3d 505, 509

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