

LOUISIANA COURT OF APPEAL, THIRD CIRCUIT

Thomas A. McCartney v. Brian S. Lestage

McCartney · No. 26-00153-CW · Decided April 1, 2026

SUMMARY

The Louisiana Court of Appeal, Third Circuit granted Brian S. Lestage's application for rehearing in part for the limited purpose of clarifying its prior ruling. The court explained that Thomas A. McCartney's pauper status was not affected and that the clerk was required to accept and file the documents at issue only if the associated fees were submitted at the time of filing.

CASE DETAILS

COURT	Louisiana Court of Appeal, Third Circuit
WRITING FOR THE COURT	Candyce G. Perret; Jonathan W. Perry; Wilbur L. Stiles
JURISDICTION	Louisiana Court of Appeal, Third Circuit
DECIDED	April 1, 2026
DOCKET	26-00153-CW
DISPOSITION	other
PROCEDURAL POSTURE	Writ application from the Thirty-Sixth Judicial District Court, Beauregard Parish, followed by a motion for rehearing filed by Brian S. Lestage, Beauregard Clerk of Court.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Thomas A. McCartney v. Brian S. Lestage

TOPICS

- writ of certiorari
- appellate procedure
- civil procedure
- costs

PRACTICE AREAS

- civil procedure
- appellate procedure
- remedies

QUESTIONS PRESENTED

- Whether the court's prior ruling required the clerk to accept and file McCartney's documents without payment of the associated filing fees.
- Whether the court's prior ruling affected McCartney's previously revoked pauper status.

HOLDINGS

1. The prior ruling did not affect McCartney's previously revoked pauper status, which was not before the court.
2. The clerk was required to accept and file the documents at issue only if payment for those documents was submitted when the documents were attempted to be filed.

KEY QUOTATIONS

“MOTION FOR REHEARING GRANTED IN PART. We grant rehearing in this matter for the sole purpose of clarifying our prior ruling, to any extent necessary.”

“Accordingly, he was required to pay whatever fees were associated with the specific filings at issue.”

“For thoroughness, we clarify that our prior order to the Clerk of Court required him to accept and file the documents at issue only if payment for those documents was also submitted at the time the documents were attempted to be filed.”

FACTUAL BACKGROUND

The dispute concerned documents that Thomas A. McCartney attempted to file with the Beauregard Parish Clerk of Court. McCartney's pauper status had previously been revoked, and that issue was not before the appellate court. The court clarified that McCartney therefore had to pay the fees associated with the specific filings at issue.

PROCEDURAL HISTORY

The matter came to the Louisiana Court of Appeal, Third Circuit as a writ application from Beauregard Parish district court case number C-20240145. On rehearing, the court granted rehearing in part solely to clarify its prior ruling. The court explained that its prior ruling did not affect McCartney's previously revoked pauper status and clarified that the clerk was required to accept and file the documents at issue only if the applicable fees were submitted when filing was attempted.

DISPOSITION

other

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