

FILED  
2024 OCT 25 PM 10:23  
SECTION 8  
DISTRICT COURT

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

2024-09816

STATE OF LOUISIANA

CASE NO:

RAYMOND SCOTT and AMANDA ALFRED

DIVISION:

N

VERSUS

LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

EMERGENCY PETITION FOR INJUNCTIVE RELIEF AND REQUEST FOR TEMPORARY RESTRAINING ORDER

In support of the *Emergency Petition for Injunctive Relief and Request for Temporary Restraining Order*, Petitioners represent the following:

1. Petitioners are a group of New Orleans unhoused residents who have been subject to or are imminently threatened by sweeps of homeless encampments in and around downtown New Orleans in which their property is being seized and destroyed.

2. The sweeps are being conducted by Louisiana State Police's "Troop NOLA" and agents of the Department of Wildlife and Fisheries and DOTD. A legal observer heard state troopers saying "the Governor wants you to move because of the Taylor Swift concert."<sup>1</sup>

3. As a result of the sweeps, Petitioners have suffered destruction of their property without due process of law and will continue to do so until a restraining order is implemented. Defendants have been taking or destroying property including tents, HIV medication, ID cards, and foodstamp cards.

4. The sweeps have also directly disrupted the City of New Orleans' work on providing housing to unhoused people. Many of these "residents were set to be housed in a matter of weeks."<sup>2</sup>

5. But according to Nathaniel Fields, head of the Office of Homeless Services and Strategies, the City's work cannot continue undisrupted "if we're sweeping encampments and moving individuals from those locations."<sup>3</sup>

CHELSEY RICHARD NAPOLEON  
CLERK, CIVIL DISTRICT COURT  
402 CIVIL COURTS BUILDING  
121 LOYOLA AVENUE - ROOM 402  
NEW ORLEANS, LA 70112  
Receipt Date 10/25/2024 10:23:00 AM  
Receipt Number 985853  
Cashier ehankston  
Register CDC Cash Register 1  
Case Number 2024-09816  
Amount Received \$540.50  
Balance Due \$0.00  
Over Payment \$0.00  
Payment/Transaction List  
Item Charged Paid Bal  
Petition for Injunctive Relief \$444.50 \$444.50 \$0.00  
Judicial College \$0.50 \$0.50 \$0.00  
Bonding and Fee \$25.00 \$25.00 \$0.00  
Indigent Legal Fee \$10.00 \$10.00 \$0.00  
JSC \$30.50 \$30.50 \$0.00  
Exhibits/Placed \$30.00 \$30.00 \$0.00

<sup>1</sup> Ex. D (Affidavit of Eli Johnson) at ¶ 20.  
<sup>2</sup> Lesli Harris (@LesliHarris), X, Oct. 23, 2024, 11:27 a.m., <https://tinyurl.com/ydhjwfa8>  
<sup>3</sup> Katie Fernelius, *Homeless sweep ahead of Taylor Swift concert reveals conflict between city, Troop NOLA*, Verite (Oct. 24, 2024) Available online at: <https://lailluminator.com/2024/10/24/homeless-sweep/>

Charita McLee  
VERIFIED  
10/25/2024

6. “It’s very important that the state not be working at cross purposes with itself,” according to Martha Kegel, executive director of Unity of Greater New Orleans, the city’s largest unhoused services provider.<sup>4</sup>

7. The state agencies have forcibly relocated people from multiple locations into a small, overcrowded area of Earhart Boulevard between Freret Street and Magnolia Street.

8. According to Fields, “We’re putting people in this camp . . . and we’re not supplying basic needs . . . There are no port-a-lets, no food, no services . . . We already didn’t have the resources, we for sure don’t have the resources to keep people in one location.”<sup>5</sup>

9. This lawsuit does not seek to stop the State from regulating its property; only to ensure that the State does so in a manner that complies with the law.

## **PARTIES**

### *Petitioners*

10. Petitioner RAYMOND SCOTT is a resident of Orleans Parish and a person of the full age of majority.

11. Petitioner AMANDA ALFRED is a resident of Orleans Parish and a person of the full age of majority.

### *Defendants*

12. Defendant LOUISIANA STATE POLICE is a state law enforcement agency which is conducting sweeps of homeless encampments in and around downtown New Orleans.

13. Defendant LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES is a state agency which is assisting Defendant Louisiana State Police with sweeps of homeless encampments in and around downtown New Orleans.

14. Defendant LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT is a state agency which is assisting Defendant Louisiana State Police with sweeps of homeless encampments in and around downtown New Orleans.

## **JURISDICTION AND VENUE**

15. The Civil District Court for the Parish of Orleans has subject-matter jurisdiction over all civil matters pursuant to La. Const. Art. 5, Sec. 16, and under La. Code of Civ. Proc. Art. 2 to adjudicate matters arising under the Louisiana Constitution of 1974, including in particular Art. I, §§ 2 (due process) and 4 (property).

---

<sup>4</sup> *Id.*

<sup>5</sup> Sophie Kasakove, *Jeff Landry sweeps more downtown New Orleans homeless camps over city's objections*, Advocate (Oct. 24, 2024), <https://tinyurl.com/4txnh325>

16. The Civil District Court for the Parish of Orleans is the proper venue under Louisiana Code of Civil Procedure art. 74 as the wrongful conduct alleged herein all occurred in Orleans Parish.

#### UNDERLYING FACTS

17. Petitioners are a group of unhoused individuals who were at all times relevant to this action residing with their personal property at encampments near downtown New Orleans.

18. On October 23, 2024, Defendants began a “sweep” of encampments in and around downtown New Orleans.<sup>6</sup>

19. The sweeps were ordered by Governor Jeff Landry for the explicit purpose of temporarily removing Petitioners and their property before the series of Taylor Swift concerts at the Caesar’s Superdome set for October 25, 26, and 27.<sup>7</sup>

20. The sweeps were conducted “[d]espite requests from city leaders to delay the cleanup”<sup>8</sup> in part because “these residents were set to be housed in a matter of weeks.”<sup>9</sup>

21. The City of New Orleans has a municipal ordinance laying out a careful procedure for the Removal of Unauthorized Encampments. See Code of the City of New Orleans, Art. XII, Sec. 82-693 to 82-703.

22. Here Petitioners were in some cases provided less than 30 minutes of notice prior to the sweeps<sup>10</sup> despite the ordinance mandating that, at least 24 hours before a sweep, “Notice shall be posted in the general area” of the encampment. Art. XII, Sec. 82-696 of the Code of the City of New Orleans.

23. The 24-hour notice ordinance further mandates that the notice include specific information, namely “1. The day the notice was posted; 2. The date the removal is scheduled; 3. The time range in which that date’s removal will commence; 4. The location and operating hours where personal property can be retrieved; 5. That personal property can be claimed without identification, unless controlled, prescription medication; and 6. Contact information for an outreach provider that can provide shelter alternatives.” Art. XII, Sec. 82-696 of the Code of the City of New Orleans.

---

<sup>6</sup>Johnathan Limehouse, “Governor orders homeless people to be relocated before Taylor Swift’s New Orleans concerts,” USA TODAY, Published Oct. 23, 2024, 6:16 p.m. (<https://www.usatoday.com/story/news/nation/2024/10/23/taylor-swift-new-orleans-eras-tour/75808764007/>); Brittney Verner, “Troop NOLA clears homeless encampment despite city’s plea to delay,” WDSU, Updated October 23, 2024, 6:10 p.m. (<https://tinyurl.com/y9tt2rkp>).

<sup>7</sup>*Id.*

<sup>8</sup>Verner, WDSU, *supra*.

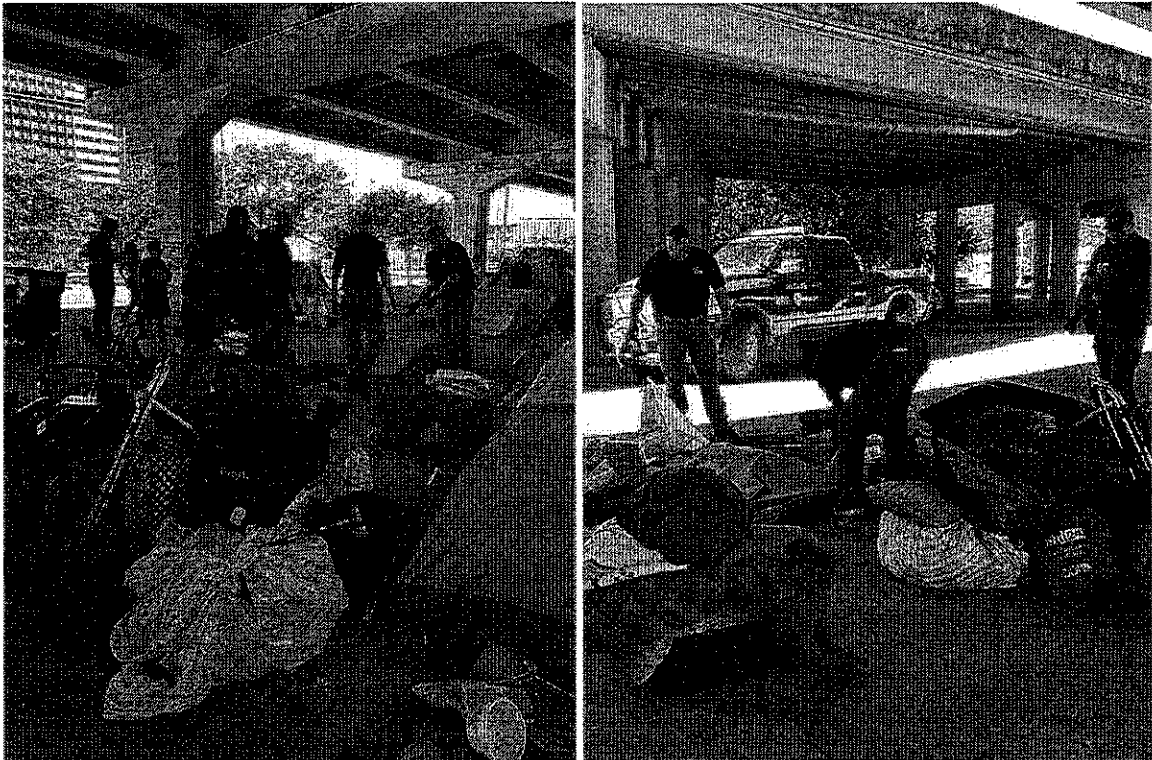
<sup>9</sup>Lesli Harris (@LesliHarris), X, Oct. 23, 2024, 11:27 a.m., <https://tinyurl.com/ydhjwfa8>

<sup>10</sup>Exhibit A (Affidavit of Petitioner Raymond Scott).

24. Petitioners were told that any items left behind would be disposed of and the grounds bulldozed.<sup>11</sup>

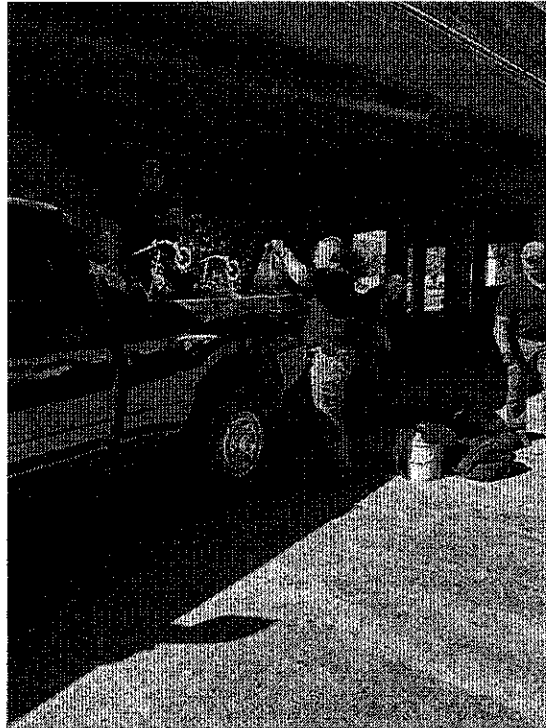
25. During these sweeps, Defendants seized several pieces of property belonging to Petitioners and other individuals, including but not limited to tents, tarps, coolers, food, clothing, bicycles, medicine, blankets, sleeping bags, medical equipment including wheelchairs, suitcases, pets, foodstamp cards, and religious items.

26. Some of these illegal actions were captured in photos and videos, such as the following photos which were posted on X (formerly known as Twitter) by Lesli Harris, the New Orleans Councilmember representing District B:<sup>12</sup>



<sup>11</sup> *Id.*

<sup>12</sup> Lesli Harris (@LesliHarris), X, Oct. 23, 2024, 11:27 a.m. (<https://x.com/lesliharris/status/1849125435356963323>).



27. Defendants' actions were witnessed by Alison Poort, the Chief of Staff for New Orleans Councilmember Lesli Harris.

28. On Wednesday, October 23, 2024, she spent several hours at the encampment at Calliope and Loyola in her capacity as chief of staff for Councilmember Harris.<sup>13</sup>

29. She saw Defendants in the process of dismantling tents where no one was there to claim them. She saw officers placing the tents in truck beds, and saw a front loader, typically used to collect items for disposal.<sup>14</sup>

30. She heard that one man had gone to eat at Rebuild, and when he returned all of his items were gone.<sup>15</sup>

31. Another man reported to her that Defendants had taken his clothing, personal memorabilia, ID cards, and his HIV medicine.<sup>16</sup>

32. Another man told her he needed to go sign a lease to move into a home. An LSP officer told the gentleman, "then you have a tough choice to make," implying that leaving the belongings meant they would be thrown away.<sup>17</sup>

33. A woman was waiting on her case manager to come back and assist her with transporting her final trip of belongings to her newly leased apartment. Wildlife agents said she needed to move her belongings or they would be removed. Ms. Poort stayed with her, along with another city worker, to ensure her belongings could remain until her case worker returned.<sup>18</sup>

---

<sup>13</sup> Ex. E at ¶ 2.

<sup>14</sup> *Id.* at ¶ 3.

<sup>15</sup> *Id.* at ¶ 8.

<sup>16</sup> *Id.* at ¶ 9.

<sup>17</sup> *Id.* at ¶ 10.

<sup>18</sup> *Id.* at ¶ 13.

34. An LSP officer told Ms. Poort that consolidating the unhoused residents into one area would make it “easier for us to serve them.” She asked about whether the state would be part of “serving them” and was told no.<sup>19</sup>

35. Ms. Poort observed that Defendants had swept an area at Gravier and Claiborne that “was outside the bounds of where LSP told me they would be removing encampments.”<sup>20</sup>

36. Petitioner Raymond Scott has resided at the encampment at the end of Bolivar Street for approximately six months.<sup>21</sup>

37. His possessions included a dog, three tents, bikes and bike accessories, clothing, and other personal belongings.<sup>22</sup>

38. Mr. Scott earns an income by repairing and building bicycles.<sup>23</sup>

39. At the time of the sweeps, Mr. Scott was in possession of three bicycles which he was repairing for customers and worth approximately \$145.00.<sup>24</sup>

40. Defendants also seized approximately \$1,500.00 worth of tools that he uses to repair and reconstruct bikes.<sup>25</sup>

41. Petitioner Amanda Alfred was living at the encampment at Claiborne and Canal.<sup>26</sup>

42. There were no posted notices of a sweep at the Claiborne and Canal encampment.<sup>27</sup>

43. Defendants arrived at the Claiborne and Canal encampment on the morning of October 24, 2024, and began seizing individuals’ property, including people who were not present because they were at work.<sup>28</sup>

44. Defendants threatened Ms. Alfred and others that it would be illegal for them to return to the area of the encampment, even after the Taylor Swift concerts are concluded.<sup>29</sup>

45. Defendants then forced Ms. Alfred to move to an unfamiliar location.<sup>30</sup>

46. Defendants did not obtain a warrant to seize any of Petitioners’ property prior to conducting the sweeps.

47. Petitioners have not received any just compensation for the taking and damaging of their personal property.

---

<sup>19</sup> *Id.* at ¶ 11.

<sup>20</sup> *Id.* at ¶ 16.

<sup>21</sup> Exhibit A.

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Exhibit B (Affidavit of Amanda Alfred).

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.* (“I don’t even know where I’m at and I’m from New Orleans.”).

48. In addition, Defendants have prevented Petitioners from exercising their right to assembly.

49. Defendants have physically forced Petitioners into confinement in an area off of Earhart Boulevard between Freret Street and Magnolia Street.<sup>31</sup>

50. That area is outlined here:



51. Individuals in the confinement area were not provided a reason why they had to be moved and have been told they cannot return to their encampments.<sup>32</sup>

52. The area being used for confinement is colloquially known as “needle alley” due to the particular health and safety concerns. Typically, there are approximately a dozen individuals present in needle alley. As of the drafting of this Petition, that number is estimated at 100 individuals, causing additional health and safety concerns for Petitioners.<sup>33</sup>

53. Nathaniel Fields, the City’s director of homeless services, said cramped conditions there could become dangerous and unsanitary.<sup>34</sup>

54. Officials have raised repeated concerns in recent days that people won't choose to live in closer quarters at the designated encampment, but will instead scatter, which makes it tougher for case managers to keep track of who needs housing. Councilwoman Harris noted that her office has already heard reports of “new tent communities in neighborhood areas.”<sup>35</sup>

<sup>31</sup> Exhibit A.

<sup>32</sup> Exhibit C (Affidavit of John Jacobsen, Jr.); Exhibit B.

<sup>33</sup> Exhibits A; Exhibit B.

<sup>34</sup> Sophie Kasakove, *Jeff Landry sweeps more downtown New Orleans homeless camps over city's objections*, Advocate (Oct. 24, 2024), <https://tinyurl.com/4txnh325>

<sup>35</sup> *Id.*



55. According to legal observer Johnson, the “traffic near the State Sanctioned Encampment is also immensely dangerous: there is an on-ramp and off-ramp, and visibility for drivers to see pedestrians is poor.”<sup>36</sup>

56. He says the “State Sanctioned Encampment is also located in the dirtiest part of the overpass that is not even cement anymore.”<sup>37</sup>

57. Ms. Poort reported that she “visited the new sanctioned encampment and noticed it lacked trash cans, portapotties, hand washing stations, or water.”<sup>38</sup>

58. She says that several “unhoused residents approached me asking again for bathrooms, trash cans, water, and food. One gentleman asked me where he could get a tent. He told me he had a tent at the other site but that the state officers had thrown it away. He told me he got bitten by rats the night before because he did not have a tent to go inside.”<sup>39</sup>

59. Petitioner Scott pointed out that it “is a bad idea to confine everyone to the State Sanctioned Encampment because some people were in different camps because they had problems with each other.”<sup>40</sup>

60. Petitioner Alfred is afraid for her safety at the confinement area because of the overcrowding.<sup>41</sup>

61. Petitioners have not been told that they are free to leave the state-sanctioned camp.

62. This has caused serious disruption for the residents and government of New Orleans.

63. Eli Johnson is a long-term volunteer with Southern Solidarity and a trained legal observer through the National Lawyers Guild who has observed several encampment sweeps, including ones at issue in this Petition.<sup>42</sup>

64. On October 23, 2024, Mr. Johnson arrived at the Loyola and Claiborne encampment at approximately 6:00 a.m.<sup>43</sup>

65. Mr. Johnson observed Defendants arrive at the encampment and, at 8:43 a.m. witnessed Louisiana State Police troopers encircle the encampment, in conjunction with

---

<sup>36</sup> Ex. D at ¶ 47.

<sup>37</sup> *Id.* at ¶ 49.

<sup>38</sup> Ex. E at ¶ 15.

<sup>39</sup> *Id.* at ¶ 29.

<sup>40</sup> Ex. A at ¶ 22.

<sup>41</sup> Exhibit B.

<sup>42</sup> Exhibit D (Affidavit of Eli Johnson).

<sup>43</sup> *Id.*



individuals from the Department of Transportation and Development and the Department of Wildlife and Fisheries.<sup>44</sup>

66. Residents of the Loyola and Claiborne encampment told Mr. Johnson that they had previously been told that they had until October 24, 2024, to leave the premises.<sup>45</sup>

67. Despite this, Mr. Johnson observed Defendants that they had to leave immediately or would be arrested.<sup>46</sup>

68. Mr. Johnson observed that there were no written notices posted.<sup>47</sup>

69. Mr. Johnson observed Defendants banging on residents' tents and, despite being told that certain people were gone at work, Defendants seized all unoccupied tents and items and threw them away. Some tents were ripped and destroyed beyond repair.<sup>48</sup>

70. Mr. Johnson heard state troopers saying "the Governor wants you to move because of the Taylor Swift concert."<sup>49</sup>

71. On October 24, 2024, at 7:00 a.m., Mr. Johnson arrived at the encampment at Canal and Claiborne.<sup>50</sup>

72. According to Mr. Johnson, the "Canal and Claiborne encampment is nowhere near a freeway or highway, so it is not state property."<sup>51</sup>

73. Mr. Johnson then witnessed Defendants move to the encampment at US-90 and start banging on tents.<sup>52</sup>

74. Mr. Johnson witnessed Defendants dump out residents' jugs of water and destroy tents, even cutting some up with knives.<sup>53</sup>

75. Nate Fields, director of the city's Office of Homeless Services and Strategy, said "There's a way to do this the right way and this is not it."<sup>54</sup>

76. Before the State's sweeps, the City was currently underway in working to relocate those living near Calliope and on the streets of the French Quarter.<sup>55</sup>

---

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.* at ¶ 14.

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> *Id.*

<sup>51</sup> *Id.* at ¶ 27.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> Matt Bloom, "State police clear homeless encampment ahead of Taylor Swift shows, sparking outcry," WWNO 89.9, published October 23, 2024, 10:14 a.m. (<https://tinyurl.com/4kje4wjp>).

<sup>55</sup> "Louisiana State Police Look To clear New Orleans Homeless Encampments Ahead of Taylor Swift Concerts," NATIONAL CRIME AND JUSTICE ASSOCIATION, published October 23, 2024, (<https://www.ncja.org/crimeandjusticenews/louisiana-state-police-look-to-clear-new-orleans-homeless-encampments-ahead-of-taylor-swift-concerts>).

77. Fields asked state officials to postpone any new sweeps and work with the city on long-term housing solutions.<sup>56</sup>

78. He said “what we are asking you not to do is to push them along and interfere with what we’re doing.”<sup>57</sup>

79. “Do not sweep this encampment or other encampments,” Fields said. “It is not helping the process. It is causing more trauma than good.”<sup>58</sup>

80. Martha Kegel, executive director of Unity of Greater New Orleans, the city’s largest unhoused services provider, said that “if people are forced to move before their housing is ready for them is that they will be scattered and when they scatter, they will form new homeless camps and those camps will probably be closer to businesses and closer to people’s homes and cause more problems for the community than the Calliope camp does.”<sup>59</sup>

81. “It’s very important that the state not be working at cross purposes with itself,” Kegel said.<sup>60</sup>

82. No Petitioner has been charged with a crime.

83. Neither Petitioners nor their property created or sustained any threat to public health or safety.

84. At all times relevant to this Petition, Defendants were acting under the color of law.

85. As a result of Defendants’ actions, Petitioners have suffered harm and are expected to suffer additional irreparable harm.

### INJUNCTIVE RELIEF

86. Petitioners assert the following Causes of Action, plead in the alternative where appropriate, against all Defendants.

#### **I. Violations of the Fourth Amendment of the United States Constitution**

87. The Fourth Amendment to the United States Constitution protects the “right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.” U.S. Const. amend. IV.

---

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

<sup>58</sup> Katie Jane Fernelius, “Homeless sweep ahead of Taylor Swift concert reveals conflict between city, Troop NOLA,” LOUISIANA ILLUMINATOR, published October 24, 2024, 5:53 p.m. (<https://lailuminator.com/2024/10/24/homeless-sweep/>).

<sup>59</sup> Bloom, *supra* (<https://www.wwno.org/local-regional-news/2024-10-23/state-police-plan-to-clear-new-orleans-homeless-encampment-sparks-outcry>).

<sup>60</sup> Fernelius, *supra*, (<https://lailuminator.com/2024/10/24/homeless-sweep/>).

88. A seizure of property occurs when “there is some meaningful interference with an individual's possessory interests in that property.” *United States v. Jacobsen*, 466 U.S. 109, 113, 80 L. Ed. 2d 85, 104 S. Ct. 1652.

89. The “general rule” is that “absent an ‘extraordinary situation’ a party cannot invoke the power of the state to seize a person's property without a prior judicial determination that the seizure is justified.” *U.S. v. Eight Thousand Eight Hundred & Fifty Dollars (\$8,850) in U.S. Currency*, 461 U.S. 555, 562 n. 12 (1983).

90. Warrantless searches are per se unreasonable and the government bears the burden of showing that an exception applies. *See, e.g., U.S. v. Holloway*, 290 F.3d 1331, 1337 (11th Cir. 2002).

91. Tents in some circumstances are protected by the Fourth Amendment from warrantless searches. *See United States v. Gooch*, 6 F.3d 673, 678 (9th Cir. 1993).

92. The United States Supreme Court has found personal property located in a public space is protected under the Fourth Amendment. *Soldal v. Cook Cty.*, 506 U.S. 56, 68, 113 S. Ct. 538, 547 (1992) (“an officer who happens to come across an individual's property in a public area could seize it only if Fourth Amendment standards are satisfied.”).

93. Here, Petitioners had a Fourth Amendment right to be secure in their persons and property.

94. Defendants, without a warrant and without proper notice, searched, seized and destroyed their property and then detained Petitioners in a state sanctioned camp, in violation of their Fourth Amendment rights. Defendants’ actions in forcing people to one state-sanctioned encampment using the threat of arrest and through property removal and destruction would cause a reasonable person to believe that they are not free to leave the area, resulting in an unlawful seizure of their liberty.

## **II. Violation of the Due Process Clause of the Fourteenth Amendment of the United States Constitution**

95. The Due Process Clause of the Fourteenth Amendment of the United States Constitution provides that “No state shall ... deprive any person of life, liberty, or property, without due process of law.” U.S. Const. amend. XIV.

96. Courts must first assess whether the asserted interests are encompassed within the Fourteenth Amendment’s protection of “life, liberty, or property,” and then, if any of those interests are implicated, must decide what due process is necessary. *Ingraham v. Wright*, 430 U.S. 651, 671 (1977).

97. Specifically, courts apply the test set forth in *Mathews v. Eldridge* to determine whether the state has afforded proper due process. 424. U.S. 319 (1976). The *Mathews* test balances “(1) the private interest that will be affected by the official action; (2) the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguard; and (3) the Government’s interest, including the fiscal and administrative burdens that additional or substitute procedural requirements would entail.” *Id.* at 321.

98. Here, Petitioners have a private interest in the form of their personal property being seized and destroyed by Defendants. There is a risk of erroneous deprivation due to Defendants’ failure to conform with the city ordinances requiring notice, or even providing any reasonable notice at all, and because there is no mechanism through which Petitioners can recover their property. Further, false or contradictory notice was provided. E.g., notice of a Thursday sweep that was moved to Wednesday And finally, the government’s interest is insignificant, as it is not related to any health or safety concern but a vague effort to ensure that “New Orleans puts its best foot forward when on the world stage.”<sup>61</sup> In terms of value and burden of additional procedures, there is limited fiscal or administrative burden on Defendants to follow reasonable notice and property storage procedures set forth in City Code.

99. Petitioners were afforded little to no due process as required under the Fourteenth Amendment and have suffered irreparable harm as a result.

100. Defendants’ actions in restraining people’s liberty by forcing Plaintiffs and others similarly situated into the state-sanctioned encampment is a deprivation of a constitutionally protected liberty interest without due process of law.

**III. Violation of Petitioners’ Property Rights under the Louisiana Constitution  
(La. Const. Art. I §4)**

101. Petitioners incorporate and reassert the allegations in each preceding and following paragraphs of this Petition.

102. Under Louisiana’s constitution, “[e]very person has the right to acquire, own, control, use, enjoy, protect, and dispose of private property.” La. Const. Art. I § 4(A).

103. The state or its agencies may not take or damage any personal property “except for public purposes and with just compensation paid to the owner or into court for his benefit.” La. Const. Art. I § 4(B)(1).

---

<sup>61</sup> Limehouse, *supra* (<https://www.usatoday.com/story/news/nation/2024/10/23/taylor-swift-new-orleans-eras-tour/75808764007/>).

104. "Personal effects, other than contraband, shall never be taken." La. Const. Art. I § 4(C).

105. Even if Defendants claim that any property seized was done so in connection with criminal activity, which is denied, they have failed to adhere to the civil forfeiture process to destroy or indefinitely hold the seized property. La. R.S. § 15:41.

106. Here, Defendants seized Petitioners' personal effects without any compensation.

107. Petitioners' property is not contraband and there is no legitimate public purpose for its seizure.

108. The public purposes under which the state may seize personal property are specifically enumerated in the state constitution. La. Const. Art. I § 4(B)(2)(a-c).

109. None of the public purposes have any application here as Petitioners' property did not pose any threat to public health or safety.

**IV. Violations of Petitioners' Due Process Rights Under Louisiana's Constitution (La. Const. Art. I §2)**

110. Petitioners incorporate and reassert the allegations in each preceding and following paragraphs of this Petition.

111. Louisiana's constitution establishes that "[n]o person shall be deprived of life, liberty, or property, except by due process of law." La. Const. Art. I § 2.

112. Here, Defendants arrived at the encampment unannounced and did not allow adequate time, in some cases less than 30 minutes, for Petitioners to pack up all of their belongings and leave, or else their property would be destroyed.

113. This was done despite an ordinance requiring 24-hour notice of any sweep, including specific information about how to handle and seized property. Art. XII, Ch. 82 of the Code of the City of New Orleans.

114. Because exception to the warrant requirement applies, Defendants violated Petitioners right to privacy.

**V. Violation of Petitioners' Right of Assembly under the Louisiana Constitution (La. Const. Art. I § 9)**

115. Petitioners incorporate and reassert the allegations in each preceding and following paragraphs of this Petition.

116. "No law shall impair the right of any person to assemble peaceably." La. Const. Art. I § 9.

117. Here, Petitioners were forcibly herded into a state sanctioned camp and have not been able to return to their encampment areas or otherwise travel unrestricted.

#### **MOTION FOR TEMPORARY RESTRAINING ORDER**

118. In addition to the injunctive relief requested herein, Petitioners further request that this Court issue a Temporary Restraining Order requiring that Defendants cease and desist from evicting residents as described in this Petition.

119. A temporary restraining order shall be granted without notice when (1) the petition lays out specific facts, supported by affidavit, that immediate and irreparable injury will result; and (2) the applicant's attorney certifies in writing that efforts have been made to give notice. La. Code of Civ. Proc. art. 3603.

120. There is an obvious risk of irreparable harm as well as danger to the safety of the residents in the event that a Temporary Restraining Order is not granted pending a Preliminary Injunction hearing. Specifically, Petitioners will be deprived of shelter and their property will be destroyed.

121. For the reasons stated herein and the supporting documentation submitted with this Petition, Petitioners have a high likelihood of success on the merits.

122. With regard to the security bond required under La. Code Civ. Proc. art 3610, Petitioner respectfully requests that the security bond be set at a nominal amount of \$100.00 due to the fact that Petitioners are indigent and unhoused and the public interest in ensuring that state agencies follow the law. Petitioners should not be required to put up a burdensome bond to force Defendants to following the laws of Louisiana and the Judgment of this Court.

#### **REQUESTED RELIEF**

123. For the reasons stated herein, Petitioners seek the following:

- a. A temporary restraining order and permanent injunction ordering Defendants to:
  - i. Not destroy or dispose of the property of unhoused people without judicial process;
  - ii. Provide the notice set out in the municipal ordinance Art. XII, Sec. 82-696; and
  - iii. Notify people in the "state sanctioned camp" that they are free to leave.
- b. Compensatory damages;
- c. Attorneys fees; and
- d. Any other relief equitable under the law.

124. Petitioners reserve the right to notice of defect to this pleading and reserve the right to amend or supplement this Petition after discovery of any additional fact, law, or claim, the amendment of which to be performed by the filing of any subsequent pleading.

Respectfully submitted,



**William Most** (La. Bar No. 36914)  
**Dave Lanser** (La. Bar No. 37764)  
**Hope Phelps** (La. Bar No. 37259)  
201 St. Charles Ave., Ste. 2500, #9685  
New Orleans, LA 70170  
Telephone: (504) 509-5023  
williammost@gmail.com

**Exhibits:**

- A: Affidavit of Petitioner Raymond Scott
- B: Affidavit of Amanda Alfred
- C: Affidavit of John Jacobsen, Jr.
- D: Affidavit of Eli Johnson
- E: Affidavit of Alison Poort

**Please Serve:**

Defendants Louisiana State Police, Louisiana Department of Wildlife and Fisheries, and Louisiana Department of Transportation and Development  
*through their counsel*  
Louisiana Attorney General's Office  
1885 N 3rd Street  
Baton Rouge, LA 70802



FILED

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

DISTRICT COURT

CASE NO:

2024  
09816

DIVISION: N-8

RAYMOND SCOTT and AMANDA ALFRED

VERSUS

LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

VERIFICATION OF NOTICE AND FACT OF IMMEDIATE AND IRREPARABLE INJURY PURSUANT TO LOUISIANA CODE OF CIVIL PROCEDURE ARTICLE 3603

STATE OF LOUISIANA

PARISH OF ORLEANS

Before me, the undersigned Notary Public, personally came and appeared:

WILLIAM MOST

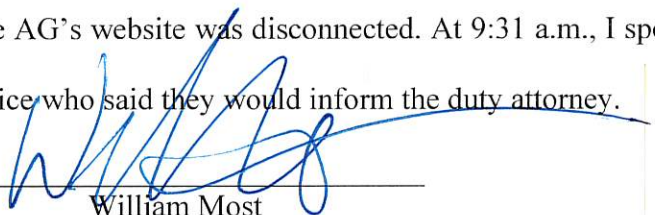
who after identifying themselves to me and being duly sworn, did depose and say:

That for the reasons stated in the Petition that Petitioners will suffer immediate and irreparable harm if the Temporary Restraining Order is not granted.

And that reasonable efforts have been made to notify the Defendants via telephone to Alexander Calenda from the Attorney General's office, who was represented to us to be handling this issue. I called Mr. Calenda at 4:23 p.m. on October 24, 2024, and left him a voicemail explaining our intent to seek a Temporary Restraining Order the next morning.

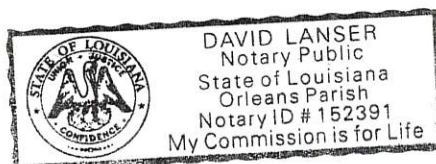
I also emailed Mr. Calenda and another attorney from the Attorney General's office, Christopher Rouse, at 7:12 p.m. on October 24, 2024 about the same. At 8:18 p.m., Mr. Calenda responded to the email. At 8:23 p.m. I replied with an email asking if we should work Mr. Rouse or someone else from the Attorney General's office.

On October 25, 2024, I emailed Mr. Calenda and Mr. Rouse again to let them know when we were headed to the courthouse. I also called the Attorney General's New Orleans office at 9:18 a.m., but the line listed on the AG's website was disconnected. At 9:31 a.m., I spoke with a staff member at the AG's main office who said they would inform the duty attorney.

  
William Most

SWORN TO A SUBSCRIBED BEFORE ME, this 25<sup>th</sup> day of October, 2024, in New Orleans, Louisiana

  
NOTARY PUBLIC



VERIFIED

FILED

2024 OCT 25 AM 10:24

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

DISTRICT COURT

STATE OF LOUISIANA

CASE NO: 2024-09816

DIVISION: N 8

RAYMOND SCOTT and AMANDA ALFRED

VERSUS

LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

VERIFICATION OF EMERGENCY PETITION FOR INJUNCTIVE RELIEF AND REQUEST FOR TEMPORARY RESTRAINING ORDER

STATE OF LOUISIANA

PARISH OF ORLEANS

Before me, the undersigned Notary Public, personally came and appeared:

William Most

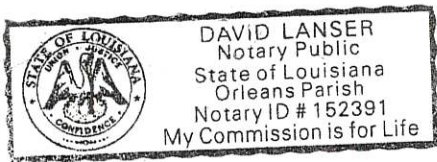
who after identifying themselves to me and being duly sworn, did depose and say:

I have read the Petition for Injunctive Relief and Request for Temporary Restraining Order, which Raymond Stott and Amanda Alfred have brought as a Petitioner, and the facts alleged herein are true and correct. This verification is made pursuant to Code of Civil Procedure 3603(B), which provides that the "verification of the affidavit may be made by the plaintiff, or by his counsel, or by his agent."

William Most

SWORN TO A SUBSCRIBED BEFORE ME, this 25<sup>th</sup> day of October, 2024, in New Orleans, Louisiana

[Signature]  
NOTARY PUBLIC



VERIFIED

FILED  
2024 OCT 25 AM 10:24  
CIVIL  
DISTRICT COURT

**CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS**

**CASE NO:** 2024 09816  
**STATE OF LOUISIANA**  
**RAYMOND SCOTT and AMANDA ALFRED**

**DIVISION:** N-8

**VERSUS**

**LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND  
FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND  
DEVELOPMENT**

**AFFIDAVIT OF RAYMOND SCOTT**

Before Me, the undersigned Notary Public, duly commissioned and qualified in this district and country, personally appeared RAYMOND SCOTT who after being by me duly sworn, did depose and say:

1. My name is Raymond Scott.
2. I am 32-years old.
3. I have lived at the camp at the end of Bolivar St. for about six months.
4. I have a dog, Chomper, 3 tents, and several bikes and bike parts.
5. I have clothing and personal belongings in the tent.
6. I make money by repairing and building bikes.
7. I have 3 bike projects in my possession currently with frames and parts that belong to my customers, work \$145 upon completion of the work to reconstruct and repair them.
8. I use my personal bikes to travel to get food and to meet with my caseworker, who is helping me find housing.
9. My caseworker visits me at this location to help work on getting me housing because she knows she can find me here.
10. In the past, the City has taken bikes and bike parts that were in my possession that belonged to my customers.
11. These bikes and bike parts were repair and rebuild projects I was working on, valued at approximately \$575.
12. I now have an outstanding debt that I must repay to my customers.

**VERIFIED**

**EXHIBIT A**

13. This past Wednesday, the City took and disposed of approximately \$1500 worth of tools that I used in my work to repair and reconstruct bikes.

14. During a sweep in Summer 2024, a City worker reached into my tent and took the owl figurine.

15. My great-grandmother, who died 22-years ago of cancer, gifted me the owl figurine that I considered of great sentimental value because owls were her favorite animal.

16. I begged the City worker not to take it and told them it was a gift from my great-grandmother.

17. The City worker still took the owl figurine and disposed of it.

18. The Louisiana State Police came to the encampment I'm currently at around 10:20 a.m. this morning, Thursday, October 24, 2024.

19. I am effectively the head of the camp, so I spoke with them.

20. The Louisiana State Police said we had to leave within 25-minutes, that everything left behind would be disposed of, and the grounds bulldozed.

21. They said the only place we can be is the State Sanctioned Encampment<sup>1</sup>, and that the camp we are currently in is located on state property.

22. It is a bad idea to confine everyone to the State Sanctioned Encampment because some people were in different camps because they had problems with each other.

23. I feel much safer at the encampment I'm currently at because I know the people in this camp and we have worked to create a family environment here, and also because my caseworker and homeless outreach know they can find me here.

24. I would suffer irreparable harm if I were forced to leave this camp, removed from this community of people I trust, if my caseworker could not find me to notify me of housing, and if my only ability to make money is taken away.

25. Attorney Hope Phelps handwrote my statement and read it aloud to me.

26. I authorize her to copy it in a typewritten format and to make any alterations, additions, and deletions as needed for clarity.

---

<sup>1</sup> The State Sanctioned Encampment is located in the two-blocks between Magnolia Street and Freret Street, where they intersect with Earhart Blvd. / Calliope Street under the US-90 overpass.



Sign: \_\_\_\_\_

Date 10/24/2024

Print: Raymond Scott

Sworn to and Subscribed before me on this 24th day of October, 2024

\_\_\_\_\_


Notary Public

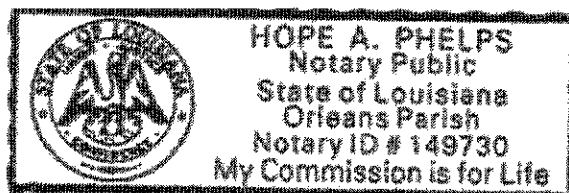
Attorney Hope Phelps handwritten not statement  
I read it aloud to her

I authorize her to copy it in a typewritten format  
to make any alterations, additions, & deletions as  
needed for clarity

Sign ~~Amey~~ P. A. Phelps  
P. A. Phelps

Sworn to & subscribed before me on this  
24th day of October, 2024

  
Notary Public



FILED  
2024 OCT 25 AM 10:24  
CIVIL  
DISTRICT COURT

**CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS**

**STATE OF LOUISIANA**

CASE NO:

2024-09816

**RAYMOND SCOTT and AMANDA ALFRED**

DIVISION:

N-8

**VERSUS**

**LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**AFFIDAVIT OF AMANDA HOPE ALFRED**

Before Me, the undersigned Notary Public, duly commissioned and qualified in this district and country, personally appeared AMANDA HOPE ALFRED who after being by me duly sworn, did depose and say:

1. My name is Amanda Hope Alfred.
2. I am 47-years old.
3. I was living at the Claiborne and Canal encampment.
4. The Louisiana State Police (LSP) and Louisiana Department of Wildlife and Fisheries (LDWF) showed up this morning, Thursday, October 24, 2024, and made us move.
5. LDWF warned us around 7-9 p.m. last night, Wednesday, October 23<sup>rd</sup>, that LSP was going to be coming to make us move.
6. There were no posted written notices anywhere.
7. There were people who were away at work and LSP destroyed their belongings.
8. LSP said this relocation, to the State Sanctioned Encampment, is permanent and that it is illegal to go back to our previous location.
9. Even once Taylor Swift leaves, they say we can't go back and must remain here.
10. I don't even know where I am and I'm from New Orleans.
11. I think this location is dangerous because I don't know where I am and there are too many people in one place.
12. I would like to go back to where I was at Claiborne and Canal.

**EXHIBIT B**

**VERIFIED**



13. I was working with UNITY of Greater New Orleans to get housing, but by the time LSP dropped me off today it was too late to check-in with Unity to get my name on the list for housing.

14. Attorney Hope Phelps handwrote my statement and then read it aloud to me.

15. I authorize her to copy it in a typewritten format and to make any alterations, additions, and deletions as needed for clarity.

Sign: Date: 10-24-24

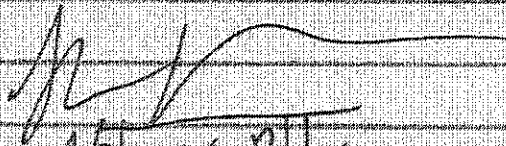
Print: AMANDA ALFRED

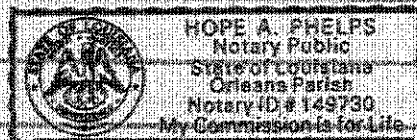
Attorney Hope Phelps handwritten my statement for the  
record & send to me.

I authorize her to copy it in a handwritten format  
& to make alterations, additions, & deletions as needed for clarity.

Sign: Amanda Speed Date: 10-24-24  
Print: Amanda ALFREO

Marion McKennie

  
Notary Public



FILED  
2024 OCT 25 AM 10: 24  
CIVIL  
DISTRICT COURT

**CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS**

**STATE OF LOUISIANA**  
CASE NO: **2024-09816**  
**RAYMOND SCOTT and AMANDA ALFRED**

DIVISION: **N-8**

**VERSUS**

**LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND  
FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND  
DEVELOPMENT**

**AFFIDAVIT OF JACOBSEN JOHN RICHARD, JR.**

Before Me, the undersigned Notary Public, duly commissioned and qualified in this district and country, personally appeared JACOBSEN JOHN RICHARD, JR. who after being by me duly sworn, did depose and say:

1. My name is Jacobsen John Richard, Jr.
2. I am 46-years old.
3. I was living at the Gravier and Claiborne encampment.
4. The Louisiana State Police made me move yesterday.
5. LSP did not give any warning or reason.
6. I would like to return to where I was at Gravier and Claiborne, but LSP said we cannot go back.

**VERIFIED**

**EXHIBIT C**

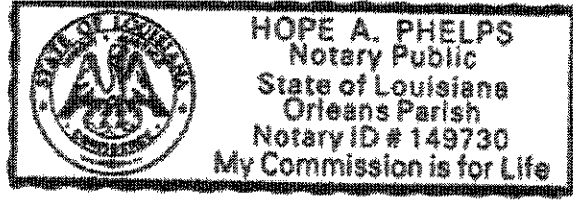
Along Hope Phelps was included by statute & not  
by her & her

I allow her to copy & in duplicate for  
her attorney, child, & child's school & copy

Signatures  
PH

PH 10-29-2011

*[Handwritten signature]*  
*[Handwritten signature]*



FILED  
2024 OCT 25 AM 10:23  
CIVIL  
DISTRICT COURT

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

2024-09816 STATE OF LOUISIANA

CASE NO:

RAYMOND SCOTT and AMANDA ALFRED

DIVISION: N-8

VERSUS

LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND  
FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND  
DEVELOPMENT

AFFIDAVIT OF ALISON POORT

Before Me, the undersigned Notary Public, duly commissioned and qualified in this district and country, personally appeared Alison Poort, who after being by me duly sworn, did depose and say:

1. My name is <sup>Alison</sup> Alison Poort.
2. On Wednesday, October 23, 2024, I spent several hours at the encampment at Calliope and Loyola in my capacity as chief of staff for Councilmember Lesli Harris. This began around 9:30 a.m. until around 3:30 p.m.
3. I witnessed the following: When I arrived, a large number of LSP officers, Wildlife officers, and DOTD workers were within the encampment area under the interstate. They were in the process of dismantling tents where no one was there to claim them. I saw officers placing the tents in truck beds.
4. I also saw a front loader, typically used to collect items for disposal.
5. Officers were telling individuals that the encampment was being closed and that everyone would be moved two blocks up Calliope near Home Depot. Belongings were transported in truck beds. People were transported in golf carts because, as one agent said, we know they do not want to feel enclosed.
6. One unhoused gentleman rode his bike up to his tent area. The tent was still there but after looking inside he got on his bike yelling that his belongings were gone. He came back later and spoke with me and another worker, noting his shoes, clothing, and items from his grandmother had been taken. I had seen an LSP officer yelling inside of the tent at least two times and kicking items around.

Exhibit E

VERIFIED



7. I saw the same officer kicking on top of at least two other tents yelling "anyone in there?"

8. A second gentleman arrived after many of the items had already been cleared. I asked him if he had been staying at this site. He said yes and he went to eat at the Rebuild. All of his items were gone when he returned.

9. A third unhoused gentleman approached me and three other city workers crying later in the afternoon. By this point we had proceeded along Calliope toward Home Depot. The gentleman was quietly sobbing, saying he was told they had until Thursday so he went to take a shower. When he returned, all of his belongings were gone. These included clothing, personal memorabilia, ID cards, and his HIV medicine.

10. A fourth unhoused gentleman had an appointment at 1 p.m. to sign a lease. He needed to leave his meticulously arranged belongings, which he said were spiritually blessed, to sign the lease, then could return and move his things into his new home. An LSP officer told the gentleman, "then you have a tough choice to make," implying that leaving the belongings meant they would be thrown away. I stayed with the gentleman's things, along with three other city workers, until he returned with his case worker to pack them up. I had to ask DOTD more than once to please avoid placing barricades directly in between the gentleman and his case worker's car so that he would have a direct route to move his belongings.

11. An LSP officer said that consolidating the unhoused residents into one area would make it "easier for us to serve them." I asked about whether the state would be part of "serving them" and was told no. The officer also told me the move was to benefit residents' health and safety.

12. The same officer said that the plan was to move ("not sweep" he said) the encampment up two blocks. The only other area where the state would be removing ~~the~~ <sup>unhoused</sup> people and bringing them into the new sanctioned encampment was in the French Quarter. Later I was told by DOTD that the cleaning would continue up to the edge of the storage units. LSP officers proceeded to move people past that point into the new encampment without prior notice.

13. A woman was waiting on her case manager to come back and assist her with transporting her final trip of belongings to her newly leased apartment. Wildlife agents said she

needed to move her belongings or they would be removed. I stayed with her, along with another city worker, to ensure her belongings could remain until her case worker returned.

14. LSP and Wildlife agents repeatedly said that the Calliope area and French Quarter were the only areas officers would be going. My city colleague said an LSP officer asked whether she and I would be staying out as late as they would, until 9:00 p.m. She said no.

15. I visited the new sanctioned encampment and noticed it lacked trash cans, portapotties, hand washing stations, or water. I left the site around 3:30 p.m.

16. At 7:11 p.m. I received a text stating "LSP is continuing the sweep now at Gravier and Claiborne and folks had no warning, we're not sure if the city is aware." I shared the information with two city workers. I joined them at the site around 8:30 p.m. and found an area full of left belongings and zero people. My city colleague went to the new encampment and said he spoke with the people formerly at the site. They told him that LSP had told them they needed to leave the site tonight. They had no prior warning nor did I. This area was outside the bounds of where LSP told me they would be removing encampments.

17. I saw people were similarly removed from the intersections of Claiborne and Poydras and Claiborne and Perdido.

18. I visited the new encampment shortly after. Four or five unhoused residents asked for bathrooms, trash cans, and waters. Three NOPD officers were on the scene. An unhoused resident said it was because another unhoused resident at the encampment burned down a third unhoused resident's belongings. I saw a DOTD worker in a fluorescent vest dragging items away. The first unhoused resident said that those were the items set on fire.

19. I drove to Canal and Calliope with two other city workers and saw that the encampment there remained. I went home around 11:00 p.m.

20. On Thursday October 24 I spent several more hours at the encampment at Lafayette and Poydras, as well as the new sanctioned encampment on Calliope, in my capacity as chief of staff for Councilmember Lesli Harris. This began around 10:15 a.m. until around 3:00 p.m. I witnessed the following:

21. At 10:16 a.m. I called a city worker to ask what she had witnessed so far that morning. She told me she was at Lafayette Street near the old city public safety warehouse. She



had the phone on speaker and asked one of the unhoused residents at the site to tell me what happened that morning. He said that state officers arrived at the site and told him and the other residents that they had 25 minutes to pack up their belongings and get out, then the site would be bulldozed.

22. I drove to the Lafayette encampment thereafter. I was already aware that the city had worked with the residents there to get access to housing. I knew that one unhoused gentleman worked at Burger King and that there was a second unhoused couple living there with dogs. I had been to the site numerous times over the prior year assisting with water deliveries.

23. There were at least 20 LSP and Wildlife officers at the site when I arrived. I asked one LSP officer what was happening. He told me, "As you know from yesterday, we are moving people to the one site near Home Depot." I asked how long the unhoused residents would be allowed to remain and pack up their things. He told me as long as they need. I asked whether the residents were given any set number of minutes and he said no. He then asked what I had ever done to help the unhoused individuals.

24. The unhoused gentleman who worked at Burger King was not present, nor did he have a cell phone. Another city worker told me that the state officers said they would be removing his belongings since he was not present to claim them. That city worker told me the gentleman did not have a cell phone to speak with the state agents and would be at work until 1:00 p.m. The city worker drove to the Burger King and picked up the gentleman, then drove him back so that he could claim his belongings. This was before his 1:00 p.m. shift was over.

25. I spoke with that gentleman who told me that it was "the most important day of the year" at work. I asked whether he would be punished for leaving early. He said, "I hope not." He told me had to leave the site by 4:00 a.m. that morning to get to work. He said he had only arrived home to the site at 2:00 a.m. and was told by the other residents that state officers came to the site earlier in the evening. He said he was told they would be back in the morning so he did his best to pile his belongings up in preparation. He said he would be paid within a week and had been working with a case manager on housing. He said he wanted his items placed into storage, not at the new sanctioned encampment site, until he got paid the following Friday. I asked whether the gentleman had any belongings he did not want in storage, such as work uniforms. He

told me he lost his other work uniform in his large pile of belongings in the haste of trying to collect them overnight. Another city worker and I offered to help him get a black polo, which he said would suffice. An LSP officer came over and I advised the gentleman to share what he just told me. The LSP officer said he understood the need for storage and that he would make sure the gentleman was taken care of. The gentleman said a 10x10 storage unit would be sufficient. The LSP officer left. I was on a text thread with public officials who said they'd spoken with the same officer and that he would be ensuring the gentleman was taken care of. Another LSP or Wildlife officer told me they did not want to have the gentleman's employment affected and they would be working with him.

26. About 30 minutes later, the LSP officer arrived with a large flatbed trailer. I received a phonecall so asked my city colleague to ensure with LSP that the items would be taken into storage, as required by law. She approached me after the phonecall and relayed that the LSP officer said that the city would have to provide the storage; he only intended to move the items to the other encampment.

27. At the site was another couple with a dog, and a fourth unhoused person involved with them. This couple included the gentleman I spoke with on the phone who told me the state gave him 25 minutes to pack up and leave. I helped him and the woman sort through their items and pack up the items they wanted to keep. The gentleman said his uncle would be coming to the site to pick up many of the belongings, rather than bring them to the new encampment. For the items he did want to bring to the encampment, he had begun placing them in the Wildlife pickup truck beds. I asked a Wildlife agent what the plan was for transporting them. He said that they wanted to ensure people stayed with their things, so they would not leave until everything was ready. He said "belongings go in the truck and people in the golf cart behind, because they don't like to be confined in the truck." He assured me that the two Wildlife trucks would not leave until the couple was ready.

28. The couple's dog had a visibly injured paw so the woman was sitting with him at all times, except for a period when she allowed a city worker, with whom she and the dog had an established relationship, to be with the dog. The woman had to leave the site with a Southern Solidarity worker to deliver some of her belongings elsewhere, so the fourth unhoused person

city colleague and I that every remaining tent and set of belongings had been identified by their owners (unhoused) as ok to throw away. At least two unhoused gentlemen came back after that point unaware that any activity had occurred. They attempted to collect and move their belongings without the assistance of the state vehicles. The items were not abandoned.

agreed to stay with the dog until she returned. One Wildlife agent got in the truck of belongings and started the ignition. I returned to the first Wildlife agent and an LSP officer to advise them that the gentleman and fourth unhoused person could not yet leave, so the truck should not leave. The Wildlife agent kept the car on. The LSP officer went to the fourth unhoused person and asked them to come in the golf cart so they could deliver the belongings to the new encampment. The unhoused person again reiterated that they were staying with the dog until the woman returned. The truck proceeded to drive several hundred feet forward to the end of the unpaved road. I again told Wildlife and LSP agents not to leave and that the unhoused individuals were not ready. They told me they would not leave without the people. They then informed the fourth unhoused person it was time to go and had that person get in the golf cart. They proceeded to leave before the woman returned. She had not signed off that all of her belongings were indeed in the truck.

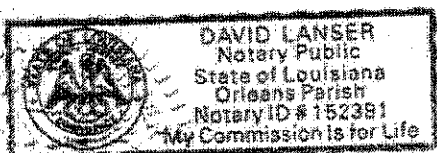
29. I visited the new encampment site that afternoon around 2:00 p.m. It was noticeably more crowded than the prior night. Several unhoused residents approached me asking again for bathrooms, trash cans, water, and food. One gentleman asked me where he could get a tent. He told me he had a tent at the other site but that the state officers had thrown it away. He told me he got bitten by rats the night before because he did not have a tent to go inside. No state officers were present.

  
By Alison Pobrt

Date: October 25, 2024

Sworn to and Subscribed before me on this <sup>25</sup> 24th day of October, 2024,

  
Notary Public



FILED

2024 OCT 25 AM 10: 24

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

CIVIL DISTRICT COURT

STATE OF LOUISIANA

2024-09816  
CASE NO:

DIVISION: N-8

RAYMOND SCOTT and AMANDA ALFRED

VERSUS

LOUISIANA STATE POLICE, LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES, and LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

ORDER

CONSIDERING the foregoing *Emergency Petition for Injunctive Relief and Request for Temporary Restraining Order*, *granted ex-parte to prevent further violations of plaintiff's rights.*

IT IS HEREBY ORDERED AND DECREED that:

1. A Temporary Restraining Order shall issue immediately and that security in the amount of \$ 500.00 be deposited into the Court's Registry *file 10/25/24* be posted no later than that 25<sup>th</sup> day of October, 2024.

2. Defendants Louisiana State Police, Louisiana Department of Wildlife and Fisheries, and Louisiana Department of Transportation and Development shall:

- a. Not destroy or dispose of the property of unhoused people without judicial process;
- b. Provide the notice set out in the municipal ordinance (Art. XII, Sec. 82-696); and
- c. Notify people in the "state sanctioned camp" that they are free to leave.

3. This Order shall remain in full force and effect until such time as this Court specifically orders otherwise. *Nov. 4<sup>th</sup> at 9:00 a.m.*

4. Defendants Louisiana State Police, Louisiana Department of Wildlife and Fisheries, and Louisiana Department of Transportation and Development shall show cause before this Court on the 4<sup>th</sup> day of November, 2024, at 9:00 why a Preliminary Injunction should not be ordered according to the terms and conditions set forth above.

Signed this 25<sup>th</sup> day of October, 2024, in New Orleans, Louisiana. *e 11:45 a.m.*

*Joni Jupiter*  
Judge Lori Jupiter

*As Duty Judge*

OCT 25 2024  
VERIFIED  
*Amanda Jay*

Please Serve:

Defendants Louisiana State Police, Louisiana Department of Wildlife and Fisheries, and Louisiana Department of Transportation and Development through their counsel Louisiana Attorney General's Office 1885 N 3rd Street Baton Rouge, LA 70802

Received 10/25, 20 24  
8,500.00 Cash  
Williams Most  
to be deposited in Registry of Court.  
Receipt No. 57658 - court order  
16  
Mecenia C. Davis  
Clerk

APPROVED

*[Signature]*  
DIVISION "N"  
*[Signature]*

VERIFIED

*Date Given for RPI  
Duty will deal w/ TRO  
ENTERED RULE DOCKET*



CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

FILED

STATE OF LOUISIANA

2024 OCT 25 AM 11:59

NO. 2024-09816

DIVISION "N"

SECTION 8  
DISTRICT COURT

Raymond Scott, et al

VERSUS

Louisiana State Police, et al

This matter will come before the Court for hearing on the 4 day of November, 2024 at 9 o'clock a.m./p.m. on an application for a preliminary injunction and/or a dissolution or modification of a temporary restraining order, and/or a dissolution or modification of a preliminary injunction.

ORDER

IT IS ORDERED that the application in this matter is to be heard upon the verified pleadings and/or supporting affidavits. A copy of this order shall be served upon the defendant in conformity with C.C.P. 3609.

IT IS FURTHER ORDERED that the applicant for the preliminary injunction filed their affidavits not later than seventy-two (72) hours prior to the hearing, and that the defendant in rule file their affidavits not less than twenty-four (24) hours prior to the hearing.

New Orleans, Louisiana this 25 day of October, 2024.

Lori Jupiter  
JUDGE Judge Lori Jupiter  
As Duty Judge

APPROVED  
[Signature]  
DIVISION "N"  
[Signature]

OCT 25 2024  
VERIFIED  
[Signature]