

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

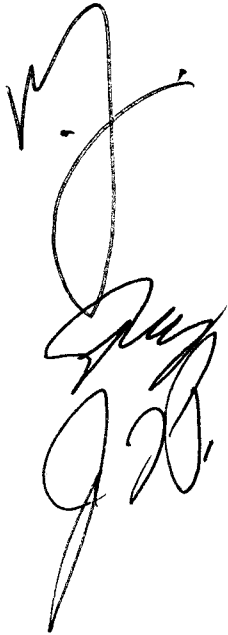
FIRST CIRCUIT

NO. 2017 CA 0071

CONSTANTIN LAND TRUST

VERSUS

PITRE INDUSTRIES, LLC



Judgment Rendered: FEB 07 2018

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On Appeal from the
17th Judicial District Court,
Parish of Lafourche, State of Louisiana
Trial Court No. 122507

The Honorable F. Hugh Larose, Judge Presiding

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BEFORE: GUIDRY, PETTIGREW, AND CRAIN, JJ.

CRAIN, J.

In this appeal, the trustees of Constantin Land Trust challenge the trial court's November 15, 2016 judgment denying their petition for injunctive relief against Pitre Industries, L.L.C. Specifically, the petition sought a ruling dissolving a lease between the parties, as well as an injunction ordering Pitre to vacate the property or ordering them to take certain alternative actions in using the property, and further enjoining Pitre from precluding inspection of the property. After this appeal was lodged, another panel of this court rendered its decision in a related appeal involving these parties and, upon finding that the lease at issue herein had expired, granted the rule to evict Pitre from the property. *Constantin Land Trust v. Pitre Industries, L.L.C.*, 16-0993 (La. App. 1 Cir. 7/10/17), 225 So. 3d 1089, writ denied, 17-1644 (La. 11/28/17), 230 So. 3d 224 (*Constantin I*). The supreme court denied an application for supervisory writ, making that decision final.¹ See La. Code Civ. Pro. art. 2166.

It is well settled that courts will not decide abstract, hypothetical, or moot controversies, or render advisory opinions with respect to such controversies. *Cat's Meow, Inc. v. City of New Orleans, Through Dept. of Finance*, 98-0601 (La. 10/20/98), 720 So. 2d 1186, 1193. An issue is moot when a judgment or decree on that issue is deprived of practical significance or made abstract or purely academic. *Tobin v. Jindal*, 11-0838 (La. App. 1 Cir. 2/10/12), 91 So. 3d 317, 321. A case is moot when a rendered judgment or decree can serve no useful purpose and give no practical relief or effect. *Animal Legal Defense Fund v. State, Dept. of Wildlife and Fisheries*, 12-0971 (La. App. 1 Cir. 4/25/13), 140 So. 3d 8, 19, writ denied, 13-1565 (La. 10/4/13), 122 So. 3d 1025. If the case is moot, there is no

¹ This matter was stayed pending the supreme court's ruling. That stay is now lifted.

subject matter on which the judgment of the court can operate. *Animal Legal Defense Fund*, 140 So. 3d at 19.

Constantin I rendered the issues presented here moot. The lease is no longer in effect, and Pitre has been evicted from the property.

This court lacks jurisdiction to review the November 15, 2016 judgment. Accordingly, this appeal is dismissed, with costs assessed equally between the parties.

STAY LIFTED; APPEAL DISMISSED.