

Crowe v. Lucas

595 F.2d 985 (5th Cir. 1979)

U.S. Court of Appeals for the Fifth Circuit

Issue: Immunity only for judicial acts; liability for non-judicial conspiracy

Holding on Judicial Immunity

A municipal judge (who was also mayor) was absolutely immune only for his judicial acts; he could be held liable under the civil rights statutes for non-judicial conspiratorial conduct (an alleged campaign to destroy a newspaper). Immunity turns on whether the specific acts were judicial.

Key Quotations (verbatim)

“Municipal Judge Harold Ward is absolutely immune from liability under the civil rights acts for his conduct unless the jury could have found that certain of his acts were not judicial.”

— Crowe v. Lucas, 595 F.2d 985, 990 (5th Cir. 1979).

Full opinion (authoritative source):

<https://www.courtlistener.com/opinion/364894/milburn-j-crowe-v-earl-s-lucas/>

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