

# Supreme Court of Louisiana

## OFFICIAL DOCKET

### IMPORTANT NOTICE

The Rules of court provide that the time period for oral argument will be allotted in the following fashion: Forty minutes divided equally between the opposing parties in lawyer discipline cases and all criminal cases except capital cases; Sixty minutes divided equally between the opposing parties in civil cases and Judiciary Commission matters; Eighty minutes divided equally between the opposing parties in capital cases. Additional time may be allotted, but only for good cause upon request made in advance of argument.

MONDAY, DECEMBER 07, 2015

2:00 P.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2015-KK-1473**

STATE OF LOUISIANA VS. ERIK NUNEZ C/W STATE OF  
LOUISIANA VS. BRANDON LICCIARDI

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FOURTH  
CIRCUIT, PARISH OF ORLEANS

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Colin Andrew Clark;  
ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Leon A. Cannizzaro, Jr., District Attorney,  
Donna R. Andrieu, Assistant District Attorney,  
Graymond Francis Martin, Assistant District Attorney,  
Christopher S. Bowman, Assistant District Attorney;  
For Applicant;

Herbert V. Larson, Jr.;  
Sara A. Johnson;  
CAPITELLI & WICKER,  
Ralph Capitelli,  
Brian J. Capitelli;  
JEFFERY L. SMITH ATTORNEY AT LAW, LLC,  
Jeffrey Louis Smith;  
For Respondent.

CONSOLIDATED WITH NO. 2015-KK-1486

# Supreme Court of Louisiana

MONDAY, DECEMBER 07, 2015

2:00 P.M. SESSION

**2015-KK-1486**

STATE OF LOUISIANA VS. TYRONE BROWN

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FOURTH  
CIRCUIT, PARISH OF ORLEANS

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Colin Andrew Clark;  
ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Leon A. Cannizzaro, Jr., District Attorney,  
Donna R. Andrieu, Assistant District Attorney,  
Graymond Francis Martin, Assistant District Attorney,  
Christopher S. Bowman, Assistant District Attorney;  
For Applicant;

ORLEANS PARISH PUBLIC DEFENDER'S OFFICE,  
Jill K. Pasquarella,  
Colin Reingold;  
For Respondent.

**2015-C-588**

DANIEL ARCENEUX, LOUIS DAVEREDE, JR., VIVES LEMMON  
AND JULES MENESSES, ET AL. VS. AMSTAR CORP., AMSTAR  
SUGAR CORP., TATE AND LYLE NORTH AMERICAN SUGARS,  
INC., AND DOMINO SUGAR COMPANY, ET AL.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FOURTH  
CIRCUIT, PARISH OF ST. BERNARD

JONES WALKER LLP,  
Glenn Gill Goodier;  
For Applicant;

TABARY & BORNE, LLC,  
Paul A. Tabary, III;  
For Respondent.

**2014-K-2260**

STATE OF LOUISIANA VS. VERNON MULLINS

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF SABINE

Paula Corley Marx;  
For Applicant;

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
SABINE PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Don M. Burkett, District Attorney,  
Anna Louise Garcie, Assistant District Attorney;  
For Respondent.

CONSOLIDATED WITH NO. 2014-KO-2310

# Supreme Court of Louisiana

MONDAY, DECEMBER 07, 2015

2:00 P.M. SESSION

**2014-KO-2310** STATE OF LOUISIANA VS. VERNON MULLINS

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF SABINE

Vernon Mullins;  
Paula Corley Marx;  
For Applicant;

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
SABINE PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Don M. Burkett, District Attorney,  
Anna Louise Garcie, Assistant District Attorney;  
For Respondent.

**2014-K-2295** STATE OF LOUISIANA VS. QUINT MIRE

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF VERMILION

Argument Limited to  
Fifteen Minutes  
Each Side

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
VERMILION PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Michael Harson, District Attorney,  
Ted L. Ayo, Assistant District Attorney,  
Roger P. Hamilton, Jr., Assistant District Attorney;  
MICHAEL L. BARRAS, APLC,  
Michael L. Barras;  
For Applicant;

BURTON GUIDRY & ASSOCIATES,  
Burton Paul Guidry;  
For Respondent.

POSTED: OCTOBER 23, 2015. REVISED: NOVEMBER 2, 2015

# Supreme Court of Louisiana

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TUESDAY, DECEMBER 08, 2015

9:30 A.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2015-CJ-1429** THE STATE OF LOUISIANA IN THE INTEREST OF K.C.C.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH  
CIRCUIT, PARISH OF JEFFERSON

Melissa Wilson Berniard;  
Tilton Raymond Hunter, Jr.;  
For Applicant;

Virginia Lee Baker;  
Benny Council;  
For Respondent.

**2015-C-1175** MICHAEL DUNN AND THE CLASS OF SIMILARLY SITUATED  
PERSONS, KENNER FIRE FIGHTERS ASSOCIATION LOCAL 1427  
IAFF VS. CITY OF KENNER

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH  
CIRCUIT, PARISH OF JEFFERSON

ALVIN J. BORDELON JR., LLC,  
Alvin Bordelon, Jr.;  
LAW OFFICE OF CARLEE WHITE GONZALES, LLC,  
Carlee Jean White;  
THE LAW OFFICE OF REGINA SCOTTO WEDIG,  
Regina Carol Scotto Wedig;  
For Applicant;

ROBEIN, URANN, SPENCER, PICARD & CANGEMI, APLC,  
Louis L. Robein,  
Paula Martin Bruner;  
For Respondent.

# Supreme Court of Louisiana

TUESDAY, DECEMBER 08, 2015

9:30 A.M. SESSION

**2015-C-1298**

STATE OF LOUISIANA VS. LYNN E. FORET, M.D.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF EAST BATON ROUGE

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Charles H. Braud, Jr.,  
Jeremy Ryan Gathe;  
For Applicant;

LORENZI & BARNATT, LLP,  
Thomas L. Lorenzi;  
PHELPS DUNBAR, LLP,  
Shelton Dennis Blunt;  
SKINNER LAW FIRM, LLC,  
Michael David Skinner;  
For Respondent.

POSTED: OCTOBER 23, 2015

# Supreme Court of Louisiana

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TUESDAY, DECEMBER 08, 2015

2:00 P.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

### AWARDING OF CERTIFICATES TO OUTGOING MEMBERS OF THE ATTORNEY DISCIPLINARY BOARD

2015-B-1570

IN RE: WALTER C. DUMAS

ATTORNEY DISCIPLINARY PROCEEDING

OFFICE OF DISCIPLINARY COUNSEL,  
Charles Bennett Plattsmier,  
Robert Samuel Kennedy, Jr.;  
For Applicant;

Walter Clayton Dumas;  
THE LAW OFFICES OF JAMES E. BOREN,  
James Edgar Boren;  
For Respondent.

# Supreme Court of Louisiana

TUESDAY, DECEMBER 08, 2015

2:00 P.M. SESSION

**2015-CC-1114** IN RE: MEDICAL REVIEW PANEL CLAIM OF ROSE TILLMAN C/W  
IN RE: THE MEDICAL REVIEW PANEL CLAIM OF ROSE TILLMAN  
C/W JAHMAL T. TILLMAN AND JIRUS T. TILLMAN, ON BEHALF  
OF THE DECEDENT, ROSE TILLMAN VS. THE STATE OF  
LOUISIANA, ON BEHALF OF DURGA RAM SURE, M.D., ET AL.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH  
CIRCUIT, PARISH OF JEFFERSON

AUSTIN & ASSOCIATES, LLC,  
Ron Anthony Austin;  
KARA HADICAN SAMUELS AND ASSOCIATES, LLC,  
Kara Hadican Samuels,  
Nora R. Udell;  
For Applicant;

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Raquelle M. Badeaux-Phillips;  
BREAZEALE, SACHSE & WILSON, LLP,  
Michael Charles Luquet;  
CURRY & FRIEND, APLC,  
Susan Elizabeth Henning;  
GAINSBURGH, BENJAMIN, DAVID, MEUNIER & WARSHAUER,  
Kathy Rito;  
JONES WALKER LLP,  
Charles J. Boudreaux,  
Jean Ann Billeaud;  
NILES, BOURQUE & KNIGHT LLC,  
Stewart Earl Niles, Jr.,  
Bryan Jeffrey Knight;  
ROEDEL, PARSONS, KOCH, BLACHE, BALHOFF & MCCOLLIST,  
David Alva Woolridge, Jr.;  
For Respondent.

CONSOLIDATED WITH NO. 2015-CC-1263 and 2015-CC-1264

# Supreme Court of Louisiana

TUESDAY, DECEMBER 08, 2015

2:00 P.M. SESSION

**2015-CC-1263** IN RE: MEDICAL REVIEW PANEL FOR THE CLAIM OF PEIGHTON MILLER, ET AL. VS. TULANE LAKESIDE HOSPITAL, ET AL.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH CIRCUIT, PARISH OF JEFFERSON

GERTLER LAW FIRM,  
Mike Gertler,  
Louis Leopold Gertler,  
Leola M. Anderson;  
For Applicant;

BLUE WILLIAMS, LLP,  
Bert J. Miller;  
FRILOT, LLC,  
Peter Elliot Sperling,  
Nairda Teresa Colon,  
Halley Schonekas Carter;  
For Respondent.

CONSOLIDATED WITH NO. 2015-CC-1114 and 2015-CC-1264

**2015-CC-1264** IN RE: MEDICAL REVIEW PANEL FOR THE CLAIM OF PEIGHTON MILLER, ET AL. VS. TULANE LAKESIDE HOSPITAL, ET AL.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH CIRCUIT, PARISH OF JEFFERSON

GERTLER LAW FIRM,  
Mike Gertler,  
Louis Leopold Gertler,  
Leola M. Anderson;  
For Applicant;

BLUE WILLIAMS, LLP,  
Bert J. Miller;  
FRILOT, LLC,  
Peter Elliot Sperling,  
Nairda Teresa Colon,  
Halley Schonekas Carter;  
For Respondent.

CONSOLIDATED WITH NO. 2015-CC-1114 and 2015-CC-1263



# Supreme Court of Louisiana

TUESDAY, DECEMBER 08, 2015

2:00 P.M. SESSION

**2015-CA-1750** DERRICK SHEPHERD VS. THOMAS SCHEDLER, IN HIS OFFICIAL CAPACITY AS THE SECRETARY OF STATE FOR THE STATE OF LOUISIANA, & JAMES "BUDDY" CALDWELL IN HIS OFFICIAL CAPACITY AS ATTORNEY GENERAL FOR THE STATE OF LOUISIANA, & PAUL D. CONNICK, JR., IN HIS OFFICIAL CAPACITY AS DISTRICT ATTORNEY FOR THE 24TH JUDICIAL DISTRICT, PARISH OF JEFFERSON, STATE OF LOUISIANA

ON APPEAL FROM THE NINETEENTH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
William P. Bryan, III;  
JEFFERSON PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Paul D. Connick, Jr., District Attorney,  
Terry Michael Boudreaux, Assistant District Attorney;  
Lani Boyd Durio;  
John Edgar Litchfield;  
For Appellant;

PHELPS DUNBAR, LLP,  
Harry Allan Rosenberg;  
THE LAW OFFICE OF ROBERT T. GARRITY JR.,  
Robert Thomas Garrity, Jr.;  
For Appellee.

POSTED: OCTOBER 23, 2015. REVISED: NOVEMBER 2, 2015

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WEDNESDAY, DECEMBER 09, 2015

9:30 A.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2015-O-1691** IN RE: JUSTICE OF THE PEACE LEROY J. LAICHE, JR.,  
SECOND JUSTICE COURT, PARISH OF ASCENSION, STATE OF  
LOUISIANA

JUDICIARY COMMISSION OF LOUISIANA

OFFICE OF SPECIAL COUNSEL,  
Mary Frances Whitney,  
Michael Bewers;  
For Applicant;

Kim Segura Landry;  
For Respondent.

Clare Dolores Fiasconaro, Commission Counsel  
Kelly Legier, Commission Counsel

POSTED: OCTOBER 23, 2015