

# SUPREME COURT OF LOUISIANA

No. 99-C-1046 c/w No. 99-C-1188

LINDA L. JOSEPH AND ANDREW J. JOSEPH

Versus

JUDITH W. DICKERSON, CHRISTINA A. DICKERSON AND  
MIDLAND RISK INSURANCE COMPANY

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

JOHNSON, J., Dissenting

An owner of a vehicle is liable for the driver's fault where the driver is on a mission for the owner or when the driver is an agent of the owner. *Talamo v. Shad*, 92-1085, 92-1086 (La.App. 4 Cir. 1993), 619 So.2d 699. This court and the court of appeal failed to recognize what I see as an agency relationship between Judith Dickerson, the owner of the vehicle, and Christina Dickerson, the driver. According to testimony presented at trial, Christina was not ordinarily allowed to drive her mother's vehicle. However, on the day of the accident, Judith instructed Christina to take her great-grandmother to the doctor because Judith had to go to work. Because Christina was acting on behalf of Judith, I believe that Judith should be vicariously liable for the damages caused by Christina.