

04/03/02 "See News Release 028 for any concurrences and/or dissents."

**SUPREME COURT OF LOUISIANA**

No. 01-C-0876

**LAJUANA B. PETRE**

**VERSUS**

**STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF  
TRANSPORTATION AND DEVELOPMENT**

**C/W**

**VINCENT PETRE**

**VERSUS**

**STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF  
TRANSPORTATION AND DEVELOPMENT**

**SHORTESS, Associate Justice Ad Hoc assigns additional concurring reasons**

In addition to all of the reasons set forth by the majority, another egregious factor as noticed by the Third Circuit at page 1256 of *Petre v. State ex rel DOTD*, 775 So. 2d 1252, is that sometime between 1985 and 1988, DOTD placed a warning sign on LA # 107 at this curve in accordance with its "substandard road program" delineating it a "Substandard Roadway." The public was warned to "Drive Carefully" and the speed limit was reduced because the DOTD officials felt it fit the "worst type" category of roadways.

Unfortunately for these plaintiffs, the sign was removed without any remedial action before this accident when DOTD abandoned this program in 1990. A trap for the unwary? Perhaps, but certainly another substantial factor contributing to this accident. There is no manifest error here - it is just a difficult case. I agree completely with the majority and add these additional reasons.