

1/18/2019 “See News Release 003 for any Concurrences and/or Dissents.”

**SUPREME COURT OF LOUISIANA**

**No. 2018-CC-1871**

**HUBERT ARVIE**

**VS.**

**ARTHUR CULLIVAN**

**ON SUPERVISORY WRITS TO THE 14<sup>th</sup> JUDICIAL DISTRICT COURT  
FOR PARISH OF CALCASIEU**

**Hughes, J., would grant the writ.**

Respectfully, the trial court denied the motion to proceed in forma pauperis without a hearing and without reasons, by merely writing “denied” on the motion.

Plaintiff is entitled to the presumption provided by La. Code Civ. P. art. 5183(B). The law is clear. It was error to deny the motion without a hearing and evidence to rebut the presumption.