

**09/24/2019 "See News Release 040 for any Concurrences and/or Dissents."**

**SUPREME COURT OF LOUISIANA**

**No. 2019-C-944**

**ROSE GEORGE AND MELVIN GEORGE**

**vs.**

**ABC INSURANCE COMPANY AND SOUTHERN  
UNIVERSITY NEW ORLEANS**

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

**CRICHTON, J., would grant and assigns reasons.**

I would grant the writ filed by the State of Louisiana through Southern University Board of Supervisors and Agricultural College, on behalf of Southern University at New Orleans, reverse the court of appeal, and reinstate the trial court's ruling dismissing the plaintiffs' case without prejudice. Specifically, I find that the plaintiffs did not comply with La. R.S. 39:1538 and La. R.S.13:5107 and perhaps did not consider the applicability of La. R.S. 17:3216. Noting that the trial court's dismissal is without prejudice, plaintiffs could have perfected service of process in accordance with law and with minimal effort. In my view, the appellate court improperly relieved the plaintiffs of their statutory obligation to perfect service.