

**SUPREME COURT OF LOUISIANA**

**No. 96-C-2839**

**KEITH W. MARCEAUX, ET UX.**

**V.**

**DENNY WAYNE GIBBS, ET AL.**

MARCUS, Justice (concurring)

Since plaintiff was injured by Gibbs while in the process of escaping in the town vehicle, I concur in finding the custodian liable. See my dissent in *Wilson v. Dept. Of Public Safety & Corr.*, 576 So.2d 490 (La. 1991). Accordingly, I respectfully concur.