

# Supreme Court of Louisiana

## OFFICIAL DOCKET

### IMPORTANT NOTICE

The Rules of court provide that the time period for oral argument will be allotted in the following fashion: Forty minutes divided equally between the opposing parties in lawyer discipline cases and all criminal cases except capital cases; Sixty minutes divided equally between the opposing parties in civil cases and Judiciary Commission matters; Eighty minutes divided equally between the opposing parties in capital cases. Additional time may be allotted, but only for good cause upon request made in advance of argument.

MONDAY, AUGUST 31, 2015

2:00 P.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2014-K-1172**

STATE OF LOUISIANA VS. TOBY JAMES FRUGE

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF LAFAYETTE

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
LAFAYETTE PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Keith A. Stutes, District Attorney,  
William Thomas Babin, Assistant District Attorney;  
For Applicant;

Toby James Fruge;  
EDWARD J. MARQUET, PLC,  
Edward John Marquet;  
For Respondent.

**2014-KO-1555**

STATE OF LOUISIANA VS. GERALD W. DAHLEM

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF WASHINGTON

Gerald W. Dahlem;  
SOUTHERN UNIVERSITY LAW CENTER,  
Virginia Denise Banks Listach,  
Kelly Grace Carmena;  
For Applicant;

WASHINGTON PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Warren Montgomery, District Attorney,  
Kathryn W. Landry, Assistant District Attorney;  
For Respondent.

# Supreme Court of Louisiana

MONDAY, AUGUST 31, 2015

2:00 P.M. SESSION

**2014-K-1701**

STATE OF LOUISIANA VS. CHRISTOPHER J. WELLS

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

Possible Summary  
Disposition

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Leon A. Cannizzaro, Jr., District Attorney,  
Donna R. Andrieu, Assistant District Attorney,  
Matthew Culver Kirkham, Assistant District Attorney;  
For Applicant;

LAW OFFICE OF WILLIAM M. SOTHERN,  
William Martin Sothern;  
For Respondent.

POSTED: JULY 17, 2015; REVISED: AUGUST 11, 2015

# Supreme Court of Louisiana

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TUESDAY, SEPTEMBER 01, 2015

9:30 A.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2014-K-1511**

STATE OF LOUISIANA VS. MICHAEL D. ELLIS

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF CADDO

Possible Summary  
Disposition

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
CADDO PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Dale Cox, District Attorney,  
Jessica Diane Cassidy, Assistant District Attorney;  
For Applicant;

ELLIS & ELLIS,  
Carey J. Ellis, III;  
TERESA CULPEPPER CARROLL, PLLC,  
Teresa Culpepper Carroll;  
For Respondent.

**2014-K-1801**

STATE OF LOUISIANA VS. WILLIAM J. GRAHAM

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF ST. TAMMANY

Possible Summary  
Disposition

ST. TAMMANY PARISH PUBLIC DEFENDER'S OFFICE,  
John William Lindner, II,  
David Anderson;  
For Applicant;

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
ST. TAMMANY PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Warren Montgomery, District Attorney,  
Kathryn W. Landry, Assistant District Attorney;  
For Respondent.

# Supreme Court of Louisiana

TUESDAY, SEPTEMBER 01, 2015

9:30 A.M. SESSION

**2014-CK-1996**

STATE OF LOUISIANA VS. TERRENCE ROBERSON

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF EAST BATON ROUGE

EAST BATON ROUGE PARISH PUBLIC DEFENDER'S OFFICE,  
Michael Anthony Mitchell;  
Mark David Plaisance;  
Kelly Grace Carmena;  
For Applicant;

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
EAST BATON ROUGE PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Hillar Clement Moore, III, District Attorney,  
Christopher J.M. Casler, Assistant District Attorney,  
Leila Parvizian Braswell, Assistant District Attorney;  
For Respondent.

**2014-KP-1214**

STATE OF LOUISIANA VS. JESSIE M. GRIFFIN, II

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF UNION

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
UNION PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. John F. Belton, District Attorney;  
Hugo A. Holland, Jr.;  
USRY, WEEKS & MATTHEWS, APLC,  
Craig Edmond Frosch;  
For Applicant;

THE LAW OFFICE OF CHRIS L. BOWMAN,  
Chris Lane Bowman;  
For Respondent.

CONSOLIDATED WITH NO. 2014-KP-1238

**2014-KP-1238**

STATE OF LOUISIANA VS. JESSIE M. GRIFFIN, II

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF UNION

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
UNION PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. John F. Belton, District Attorney;  
Hugo A. Holland, Jr.;  
USRY, WEEKS & MATTHEWS, APLC,  
Craig Edmond Frosch;  
For Applicant;

THE LAW OFFICE OF CHRIS L. BOWMAN,  
Chris Lane Bowman;  
For Respondent.

POSTED: JULY 17, 2015; REVISED: JULY 29, 2015; REVISED: AUGUST 11, 2015

# Supreme Court of Louisiana

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TUESDAY, SEPTEMBER 01, 2015

2:00 P.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2015-B-959**

IN RE: CHARLES R. JOINER

ATTORNEY DISCIPLINARY PROCEEDING

OFFICE OF DISCIPLINARY COUNSEL,  
Charles Bennett Plattsmier,  
Robert Samuel Kennedy, Jr.;  
For Applicant;

Charles R. Joiner;  
RICHARD L. FEWELL, JR., APLC,  
Richard L. Fewell, Jr.;  
For Respondent.

**2014-C-2607**

JOHN C. MCCARTHY, INDIVIDUALLY AND AS TRUSTEE OF THE  
KATHLEEN MCCARTHY BALDEN TRUST, AND MAJORIE M. MOSS  
VS. EVOLUTION PETROLEUM CORPORATION, FORMERLY KNOWN AS  
NATURAL GAS SYSTEMS, INC., AND NGS SUB CORPORATION

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF RICHLAND

BREITHAUPT, DUNN, DUBOS, SHAFTO & WOLLESON,  
Walter C. Dunn, Jr.,  
Patrick Scott Wolleson,  
Russell Woodard, Jr.;  
For Applicant;

Donald L. Kneipp;  
For Respondent.

# Supreme Court of Louisiana

TUESDAY, SEPTEMBER 01, 2015

2:00 P.M. SESSION

**2015-CJ-585** JUSTIN HODGES VS. AMY HODGES

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF LIVINGSTON

DOWNS, SAFFIOTTI & BOUDREAUX, LLP,  
Laurie Nelson Marien;  
For Applicant;

Leslie Bankston Kidder;  
MACK LAW FIRM,  
Sherman Q. Mack,  
Ellyn Julia Clevenger;  
For Respondent.

POSTED: JULY 17, 2015

# Supreme Court of Louisiana

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WEDNESDAY, SEPTEMBER 02, 2015

9:30 A.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

- 2015-C-87**      JENNIFER DIANE NUNEZ VS. PINNACLE HOMES, L.L.C. AND  
SUA INSURANCE COMPANY
- ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF CAMERON
- ANDERSON FIRM, LLC,  
John Charles Anderson;  
Shaun S. Gill;  
For Applicant;
- J. BRYAN JONES III, LLC,  
Jennings Bryan Jones, III;  
For Respondent.
- 2015-C-136**      DEAN BORN VS. CITY OF SLIDELL
- ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF ST. TAMMANY
- Bryan Dennis Haggerty;  
MILLING BENSON WOODWARD, LLP,  
Normand Francis Pizza,  
Thomas S. Schneidau;  
For Applicant;
- HUVAL, VEAZEY, FELDER & RENEGAR, LLC,  
Thomas Hebert Huval,  
Stefini Weckwerth Salles;  
For Respondent.

# Supreme Court of Louisiana

WEDNESDAY, SEPTEMBER 02, 2015

9:30 A.M. SESSION

**2015-C-247** KENNETH H. LOBELL, ET AL. VS. CINDY ANN ROSENBERG,  
ET AL.

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

Argument Limited to  
Fifteen Minutes  
Each Side

HERMAN, HERMAN, KATZ & COTLAR, LLC,  
Brian David Katz,  
Herbert Adolph Cade;  
PHELPS DUNBAR, LLP,  
Harry Allan Rosenberg;  
For Applicant;

ADAMS AND REESE, LLP,  
Louis Charles LaCour, Jr.,  
Hon. Ronald Jeffery Sholes;  
ALVENDIA, KELLY & DEMAREST, LLC,  
Roderick Alvendia;  
Matthew Louis Pepper;  
For Respondent.

**2015-C-324** DR. RALPH SLAUGHTER VS. LOUISIANA STATE EMPLOYEES'  
RETIREMENT SYSTEM

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF EAST BATON ROUGE

Argument Limited to  
Fifteen Minutes  
Each Side

Tina Vicari Grant,  
Roland Stephen Stark;  
For Applicant;

John S. McLindon;  
Jill L. Craft;  
For Respondent.

POSTED: JULY 17, 2015



# Supreme Court of Louisiana

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WEDNESDAY, SEPTEMBER 02, 2015

2:00 P.M. SESSION

**2014-KP-2091**

STATE OF LOUISIANA VS. RONALD MARSHALL

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

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General;  
ORLEANS PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Leon A. Cannizzaro, Jr., District Attorney,  
Donna R. Andrieu, Assistant District Attorney,  
Kyle C. Daly, Assistant District Attorney;  
For Applicant;

Lionel Lon Burns, Jr.;  
For Respondent.

**2015-C-477**

PATRICIA ANN THOMPSON VS. WINN-DIXIE MONTGOMERY,  
INC., ET AL.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF IBERIA

DAVIDSON, MEAUX, SONNIER & MCELLIGOTT, LLP,  
David John Calogero,  
Robert Douglas Felder;  
PASCAL F. CALOGERO JR., APLC,  
Pascal F. Calogero, Jr.;  
For Applicant;

CAWTHORNE & ASSOCIATES LAW FIRM,  
Quincy L. Cawthorne;  
DORAN & CAWTHORNE, PLLC,  
Pride Justin Doran,  
Christopher B. Lear;  
For Respondent.

# Supreme Court of Louisiana

WEDNESDAY, SEPTEMBER 02, 2015

2:00 P.M. SESSION

**2015-C-530**

THE BANK OF NEW YORK MELLON, ET AL. VS. WHITNEY  
BLAINE SMITH, ET UX.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD  
CIRCUIT, PARISH OF GRANT

Argument Limited to  
Fifteen Minutes  
Each Side

IRWIN FRITCHIE URQUHART & MOORE, LLC,  
Gustave Alexander Fritchie, III,  
Edward Winter Trapolin;  
For Applicant;

GOLD, WEEMS, BRUSER, SUES & RUNDELL,  
Robert G. Nida,  
Trevor Scott Fry;  
For Respondent.

**2015-C-537**

ST. CHARLES LAND COMPANY II, L.L.C., J. EDGAR MONROE  
FOUNDATION, BURGESS ST. CHARLES LAND, L.L.C., MICHAEL  
BURGESS, AS TRUSTEE FOR GEORGE BURGESS, JR., TRUST AND  
GEORGE BURGESS, JR. TRUST #4 AND BURGESS PROPERTIES,  
L.L.C. VS. CITY OF NEW ORLEANS BY AND THROUGH THE  
NEW ORLEANS AVIATION BOARD

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH  
CIRCUIT, PARISH OF ST. CHARLES

Argument Limited to  
Fifteen Minutes  
Each Side

Tracy Lynn Tyler;  
Michele Dana Allen-Hart;  
SHER GARNER CAHILL RICHTER KLEIN & HILBERT, LLC,  
Debra J. Fischman,  
James Michael Garner;  
For Applicant;

SMITH & FAWER, LLC,  
Randall Alan Smith,  
Laura Tiffany Hawkins,  
J. Geoffrey Ormsby;  
For Respondent.

POSTED: JULY 17, 2015

# Supreme Court of Louisiana

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THURSDAY, SEPTEMBER 03, 2015

9:30 A.M. SESSION

ALL COUNSEL ARE REQUIRED TO REPORT TO THE COURT CRIER FIFTEEN (15)  
MINUTES PRIOR TO THE CONVENING OF COURT

**2015-C-536**

JOSEPH E. BOUDREAUX, II VS. JENNIFER BOUDREAUX C/W  
JENNIFER ANNE THERIOT BOUDREAUX VS. JOSEPH ELTON  
BOUDREAUX, II

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIRST  
CIRCUIT, PARISH OF TERREBONNE

Estelle E. Mahoney;  
THE SCHWAB LAW FIRM,  
Danna E. Schwab,  
Patricia Reeves Floyd;  
For Applicant;

TERREBONNE PARISH DISTRICT ATTORNEY'S OFFICE,  
Hon. Joseph L. Waitz, Jr., District Attorney,  
Samuel J. Markus, Assistant District Attorney;  
HEBERT & MARCEAUX,  
Julius P. Hebert, Jr.,  
Brian John Marceaux;  
JESSICA L. DUET, ATTORNEY AT LAW, LLC,  
Jessica Lynn Duet;  
For Respondent.

# Supreme Court of Louisiana

THURSDAY, SEPTEMBER 03, 2015

9:30 A.M. SESSION

**2014-CC-1708** THELMA AISOLA VS. LOUISIANA CITIZENS PROPERTY  
INSURANCE CORPORATION

ON SUPERVISORY WRITS TO THE THIRTY-FOURTH JUDICIAL  
DISTRICT COURT FOR THE PARISH OF ST. BERNARD

BIENVENU, FOSTER, RYAN & O'BANNON,  
John W. Waters, Jr.,  
Kristin Grace Mosely-Jones;  
TABARY & BORNE, LLC,  
Paul A. Tabary, III,  
Elizabeth Borne,  
Lacey Michel Tabary;  
For Applicant;

THE LAW OFFICES OF SIDNEY D. TORRES, III,  
Sidney D. Torres, III,  
Roberta L. Burns;  
For Respondent.

**2015-C-823** MEIKO PREVO VS. STATE OF LOUISIANA, THROUGH THE  
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS DIVISION  
OF PROBATION AND PAROLE, WEBSTER PARISH SHERIFF'S  
OFFICE, MINDEN PROBATION AND PAROLE

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND  
CIRCUIT, PARISH OF WEBSTER

Argument Limited to  
Fifteen Minutes  
Each Side

LOUISIANA DEPARTMENT OF JUSTICE,  
Hon. James D. Caldwell, Attorney General,  
Harvetta Strozier Colvin;  
For Applicant;

WASHINGTON & WELLS, LLC,  
Alex James Washington, Jr.;  
For Respondent.

POSTED: JULY 17, 2015