

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.

TUESDAY, JANUARY 29, 2013

2:00 P.M. SESSION

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

(Judge Jefferson D. Hughes III, assigned as Justice ad hoc, sitting
for Chief Justice Catherine D. Kimball in all cases in this session.)

2012-K -1021 STATE OF LOUISIANA VS. BILLY R. LEWIS

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

Christopher Albert Aberle, Esq.;
For Applicant;

Hon. James D. Caldwell, Attorney General,
Robert Chase Abendroth, Assistant Attorney General;
ORLEANS PARISH DISTRICT ATTORNEY,
Hon. Leon A. Cannizzaro, Jr., District Attorney,
Andrew Pickett, Assistant District Attorney;
For Respondent.

CONSOLIDATED WITH 2012-K-2042 FOR ORAL ARGUMENT

2012-K -2042 STATE OF LOUISIANA VS. JEREMY PATTERSON

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

Hon. James D. Caldwell, Attorney General;
ORLEANS PARISH DISTRICT ATTORNEY,
Hon. Leon A. Cannizzaro, Jr., District Attorney,
Andrew Pickett, Assistant District Attorney;
For Applicant;

Christopher Albert Aberle, Esq.;
For Respondent.

POSTED: DECEMBER 14, 2012; REVISED: JANUARY 15, 2013

Supreme Court of Louisiana

TUESDAY, JANUARY 29, 2013

2:00 P.M. SESSION

2012-KK-1986 STATE OF LOUISIANA VS. MAZEN HAMDAN

ON SUPERVISORY WRITS TO THE CRIMINAL DISTRICT COURT
FOR THE PARISH OF ORLEANS

Hon. James D. Caldwell, Attorney General;
ORLEANS PARISH DISTRICT ATTORNEY,
Hon. Leon A. Cannizzaro, Jr., District Attorney,
David Stephen Pipes, Jr., Assistant District Attorney;
For Applicant;

J. C. LAWRENCE & ASSOCIATES, LLC,
Anthony James Ibert Esq. ;
For Respondent.

2012-C -1472 QUANTUM RESOURCES MANAGEMENT, L.L.C. AND MILAGRO
PRODUCING, L.L.C. VS. PIRATE LAKE OIL CORP., ET AL.

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, FIFTH
CIRCUIT, PARISH OF JEFFERSON

SIDNEY L. SHUSHAN, APLC,
Sidney Levin Shushan, Esq.,
Jonathan Marks Shushan, Esq. ;
For Applicant;

BARRIOS, KINGSDORF & CASTEIX,
Bruce Steven Kingsdorf, Esq.,
Barbara Treuting Casteix, Esq. ;
SIMON, PERAGINE, SMITH & REDFEARN, LLP,
Donald Joseph Brannan, Esq.,
Doug Freret Wynne, Jr., Esq.,
Megan S. Peterson, Esq. ;
For Respondent.

Supreme Court of Louisiana

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WEDNESDAY, JANUARY 30, 2013

9:30 A.M. SESSION

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

(Judge Jefferson D. Hughes III, assigned as Justice ad hoc, sitting for Chief Justice Catherine D. Kimball in all cases in this session.)

2012-C -2055 CLOVELLY OIL CO., LLC VS. MIDSTATES PETROLEUM CO., LLC, ET AL.

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

BEYT AND BEYT, PC,
Raymond Anthony Beyt, Esq.;
LOUISIANA STATE UNIVERSITY LAW CENTER,
Patrick H. Martin, Esq.;
RANDAZZO GIGLIO & BAILEY LLC,
Matthew Joseph Randazzo, III, Esq.,
Shawn Alexander Carter, Esq.,
Christopher Burns Bailey, Esq.;
VINSON & ELKINS, LLP,
Marie Roach Yeates, Esq.;
For Applicant;

CARVER, DARDEN, KORETZKY, TESSIER, FINN, BLOSSMAN,
Marshall Taylor Darden, Esq.,
Matthew James Fantaci, Esq.;
For Respondent.

POSTED: DECEMBER 14, 2012; REVISED: JANUARY 15, 2013

Supreme Court of Louisiana

WEDNESDAY, JANUARY 30, 2013

9:30 A.M. SESSION

2012-C -2056 TIN, INC. VS. WASHINGTON PARISH SHERIFF'S OFFICE,
ROBERT J. "BOBBY" CROWE, IN HIS CAPACITY AS SHERIFF
AND SALES AND USE TAX COLLECTOR FOR WASHINGTON PARISH,
AND BRANDI RITCHIE, IN HER CAPACITY AS THE SALES AND
USE TAX AUDIT MANAGER FOR THE WASHINGTON PARISH SALES
AND USE TAX DEPARTMENT

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

JONES, WALKER, WAECHTER, POITEVENT, CARRERE & DENEGRÉ,
Jesse R. Adams, III, Esq.,
Andre Brian Burvant, Esq.,
Kathryn Scioneaux Friel, Esq.;
For Applicant;

RAINER, ANDING & MCLINDON,
Robert R. Rainer Esq.,
Drew Michael Talbot Esq.;
For Respondent.

2012-C -2182 COLLETTE JOSEY COVINGTON AND JADE COVINGTON VS.
MCNEESE STATE UNIVERSITY AND THE BOARD OF SUPERVISORS
FOR THE UNIVERSITY OF LOUISIANA SYSTEM

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

Hon. James D. Caldwell, Attorney General;
VERON, BICE, PALERMO & WILSON,
J. Michael Veron, Esq.,
Alonzo P. Wilson, Esq.,
J. Rock Palermo, III, Esq.;
For Applicant;

Seth Hopkins, Esq.;
James Edward Hopkins Esq.;
LAW OFFICE OF JAMES B. DOYLE, APLC,
James Buckner Doyle Esq.;
Heath Joseph Dorsey Esq.;
THE LAW OFFICE OF LEE A. ARCHER,
Lee Ann Archer Esq.;
For Respondent.

Supreme Court of Louisiana

WEDNESDAY, JANUARY 30, 2013

2:00 P.M. SESSION

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

(Judge Jefferson D. Hughes III, assigned as Justice ad hoc, sitting
for Chief Justice Catherine D. Kimball in all cases in this session.)

2012-C -1238 PAUL F. BROUSSARD AND ANDREA V. BROUSSARD,
INDIVIDUALLY AND ON BEHALF OF HIS MINOR CHILD, ARYN
PAIGE BROUSSARD VS. STATE OF LOUISIANA, THROUGH THE
OFFICE OF STATE BUILDINGS, UNDER THE DIVISION OF
ADMINISTRATION

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

PENNINGTON & MARTINEZ,
Dennis Alan Pennington, Esq.,
Timothy James Martinez, Esq.,
Michael John Harig, Esq.;
PERRY, ATKINSON, BALHOFF, MENGIS & BURNS, LLC,
John W. Perry, Jr., Esq.,
Daniel Joseph Balhoff, Esq.,
Randi Lauren Simoneaux Ellis, Esq.;
For Applicant;

Hon. James D. Caldwell, Attorney General,
Van A. Heard, Assistant Attorney General;
KEOGH, COX & WILSON, LTD,
Andrew Blanchfield, Special Assistant Attorney
General;
For Respondent.

POSTED: DECEMBER 14, 2012; REVISED: JANUARY 15, 2013

Supreme Court of Louisiana

WEDNESDAY, JANUARY 30, 2013

2:00 P.M. SESSION

2012-C -1566 JANE DOE VS. SOUTHERN GYMS, LLC, ET AL.

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

GIEGER, LABORDE & LAPEROUSE, LLC,
Robert Irwin Siegel, Esq.,
A. Simone Manuel, Esq.;
For Applicant;

Timmy James Fontenot, Esq.;
FAYARD & HONEYCUTT,
D. Blayne Honeycutt, Esq.;
THE LAW OFFICES OF CALVIN C. FAYARD JR., APLC,
Calvin Clifford Fayard, Jr., Esq.;
For Respondent.

CONSOLIDATED WITH 2012-C-1572

2012-C -1572 JANE DOE VS. SOUTHERN GYMS, LLC, ET AL.

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

POWERS, SELLERS & CHAPOTON, LLP,
Douglas Michael Chapoton, Esq.;
For Applicant;

Timmy James Fontenot, Esq.;
FAYARD & HONEYCUTT,
D. Blayne Honeycutt, Esq.;
THE LAW OFFICES OF CALVIN C. FAYARD JR., APLC,
Calvin Clifford Fayard, Jr., Esq.;
For Respondent.

CONSOLIDATED WITH 2012-C-1580

2012-C -1580 JANE DOE VS. SOUTHERN GYMS, LLC, ET AL.

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

JUNEAU DAVID, APLC,
Robert Jefferson David, Jr., Esq.,
Alyse Susanne Richard, Esq.;
For Applicant;

Timmy James Fontenot, Esq.;
FAYARD & HONEYCUTT,
D. Blayne Honeycutt, Esq.;
THE LAW OFFICES OF CALVIN C. FAYARD JR., APLC,
Calvin Clifford Fayard, Jr., Esq.;
For Respondent.

Supreme Court of Louisiana

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THURSDAY, JANUARY 31, 2013
9:30 A.M. SESSION

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

(Judge Jefferson D. Hughes III, assigned as Justice ad hoc, sitting for Chief Justice Catherine D. Kimball in all cases in this session.)

2012-CC-1697 RODNEY CHAMPAGNE, II AND WIFE, NICOLE CHAMPAGNE, BOTH INDIVIDUALLY AND ON BEHALF OF ELIZABETH NICOLE CHAMPAGNE VS. AMERICAN ALTERNATIVE INSURANCE CORPORATION, SMEAL FIRE APPARATUS CO., WATEROUS COMPANY, LAFAYETTE CONSOLIDATED GOVERNMENT, LAFAYETTE PARISH FIRE PROTECTION ASSOCIATION, AND DANIEL LAVERGNE

ON SUPERVISORY WRITS TO THE FIFTEENTH JUDICIAL DISTRICT COURT FOR THE PARISH OF LAFAYETTE

(Retired Judge Patrick M. Schott, assigned as Justice ad hoc, sitting for Weimer, J., recused, in 2012-CC-1697 only.)

OLINDE & MERCER, LLC,
Henry Dupont Heck Olinde, Jr., Esq.,
Drew Bernard, Esq.;
For Applicant;

Larry Curtis Esq.;
BROUSSARD & KAY,
Hal James Broussard Esq.,
Ped C. Kay, III, Esq.;
DAIGLE RAYBURN LLC,
Susan A. Daigle, Esq.,
John Daniel Rayburn, Jr. Esq.;
JOHNSON, STILTNER & RAHMAN,
Patricia Jackson Delpit, Esq.;
JONES, WALKER, WAECHTER, POITEVENT, CARRERE & DENEGRÉ,
Ian Alexander MacDonald, Esq.,
Norman Eugene Anseman, III, Esq.;
PREIS & ROY, PLC,
Rachal Dene' Chance, Esq.;
For Respondent.

POSTED: DECEMBER 14, 2012; REVISED: JANUARY 15, 2013

Supreme Court of Louisiana

THURSDAY, JANUARY 31, 2013

9:30 A.M. SESSION

2012-C -1711 MARY PHYLISS SOILEAU VS. SMITH TRUE VALUE AND RENTAL, ET AL.

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

SOILEAU LAW OFFICES,
W. Glenn Soileau, Esq.,
Jacques Pierre Soileau, Esq.;
For Applicant;

CHRISTOVICH & KEARNEY,
Charles Munson Lanier, Jr., Esq.,
Mary Beth Meyer Esq.;
FALGOUST, CAVINESS & BIENVENU, LLP,
Peter Forest Caviness, Esq.,
Steven J. Bienvenu, Esq.;
KEAN MILLER, LLP,
Bradley Charles Myers, Esq.,
John Francis Jakuback, Esq.;
Karen Day White Esq.;
PHELPS, DUNBAR, ET AL,
Charles M. Lanier Esq.;
STAFFORD, STEWART & POTTER,
Andrew Parker Texada Esq.;
James Michael Percy Esq.;
THE ONEBANE LAW FIRM, APC,
Richard Joseph Petre, Jr., Esq.;
For Respondent.

2012-C -1763 JOHN BENJAMIN, SR., ET AL. VS. WILLIAM ZEICHNER, M.D.

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

PETTIETTE, ARMAND, DUNKELMAN, WOODLEY, BYRD & CROM,
Lawrence Wayne Pettiette, Jr., Esq.,
Joseph Samuel Woodley, Esq.;
For Applicant;

Susan E. Hamm, Esq.;
For Respondent.

Supreme Court of Louisiana

THURSDAY, JANUARY 31, 2013
2:00 P.M. SESSION

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

(Judge Jefferson D. Hughes III, assigned as Justice ad hoc, sitting
for Chief Justice Catherine D. Kimball in all cases in this session.)

2012-K -1176 STATE OF LOUISIANA VS. CRAIG OLIPHANT

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

Hon. James D. Caldwell, Attorney General;
FOURTH JUDICIAL DISTRICT ATTORNEY'S OFFICE,
Hon. Jerry L. Jones, District Attorney,
Charles L. Brumfield, Assistant District Attorney,
Devin Todd Jones, Assistant District Attorney,
Edward Dion Young, Assistant District Attorney;
For Applicant;

John Ray Joyce, Esq. ;
Alicia Reitzell-Walker, Esq. ;
Thomas Henry, Fields, III, Esq. ;
For Respondent.

2012-KA-1854 STATE OF LOUISIANA VS. ISAIAH OVERSTREET, JR.

ON APPEAL TO THE NINETEENTH JUDICIAL DISTRICT COURT
FOR THE PARISH OF EAST BATON ROUGE

Hon. James D. Caldwell, Attorney General,
Colin Andrew Clark, Assistant Attorney General;
EAST BATON ROUGE PARISH DISTRICT ATTORNEY'S OFFICE,
Hon. Hillar Clement Moore, III, District Attorney;
For Appellant;

Benn Hamilton, Esq. ;
For Appellee.

2012-B -2410 IN RE: CHRIS L. BOWMAN

DISCIPLINARY PROCEEDINGS

OFFICE OF DISCIPLINARY COUNSEL,
Charles Bennett Plattsmier, Esq.,
Tammy Pruet Northrup, Esq. ;
For Applicant;

THE LAW OFFICE OF CHRIS L. BOWMAN,
Chris Lane Bowman Esq. ;
Francis Marion Gowen, Jr., Esq. ;
For Respondent.

POSTED: DECEMBER 14, 2012; REVISED: JANUARY 15, 2013

Supreme Court of Louisiana

THURSDAY, JANUARY 31, 2013

2:00 P.M. SESSION

2012-B -2460 IN RE: MARK ANDREW MOELLER

DISCIPLINARY PROCEEDINGS

OFFICE OF DISCIPLINARY COUNSEL,
Charles Bennett Plattsmier, Esq;
For Applicant;

MOELLER LAW FIRM, LLC,
Mark Andrew Moeller, Esq.;
Dane S. Ciolino, Esq.;
For Respondent.

Supreme Court of Louisiana

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FRIDAY, FEBRUARY 01, 2013

9:15 A. M.

ADMINISTERING OF THE OATH OF OFFICE OF CHIEF TO
JUSTICE BERNETTE J. JOHNSON

9:30 A.M. SESSION

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

2012-C -1892 TOMMIE M. GRANGER, M.D. VS. CHRISTUS HEALTH CENTRAL
LOUISIANA, ET AL.

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

BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC,
Roy Clifton Cheatwood, Esq.,
Donna DiMartino Fraiche, Esq.,
Aubrey Bernard Hirsch, Jr., Esq.,
Alexander McVoy McIntyre, Jr., Esq.;
For Applicant;

FAIRCLOTH LAW GROUP, LLC,
Jimmy Roy Faircloth, Jr., Esq.,
Barbara Bell Melton, Esq.;
For Respondent.

2012-C -1937 WEST MONROE FIREFIGHTERS LOCAL 1385, ET AL. VS. CITY
OF WEST MONROE

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

THE KULLMAN FIRM,
Eric Ray Miller, Esq.,
Christine S. Goldberg, Esq.;
For Applicant;

ROBEIN, URANN, SPENCER, PICARD & CANGEMI, APLC,
Louis L. Robein, Jr., Esq.,
Christina L. Carroll, Esq.;
For Respondent.

POSTED: DECEMBER 14, 2012