

**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, OCTOBER 18, 2004**

**9:30 A.M. SESSION**

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

**2004-C -0503** ALLIED SHIPYARD, INC. vs. STEPHEN D. EDGETT, MARILYN SCHWAB EDGETT AND LAUREN L. EDGETT

ON WRIT OF REVIEW TO THE COURT OF APPEAL FOURTH CIRCUIT

Lee Anthony Callais;  
For Applicant;

LOWE, STEIN, HOFFMAN, ALLWEISS & HAUVER,  
Mark S. Goldstein,  
Alicia M. Bendana;  
For Respondent.

**2004-CC-0703** PATRICK R. CHERON vs. LCS CORRECTIONS SERVICES, INC., AND THE STATE OF LOUISIANA THROUGH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS AND WARDEN GARY COPEL

ON SUPERVISORY WRITS TO THE 19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

Charles C. Foti, Jr., Attorney General,  
Annette Rhodes Seng, Assistant Attorney General;  
For Applicant;

LAW OFFICE OF FERDINAND J. KLEPPNER,  
Ferdinand J. Kleppner;  
EDWARDS LAW FIRM,  
Christopher A. Edwards;  
For Respondent.

**CONSOLIDATED WITH NO. 2004-CC-0744**

**POSTED:** September 3, 2004

MONDAY, OCTOBER 18, 2004

9:30 A.M. SESSION

**2004-CC-0744** SHARON DAILEY vs. HELEN TRAVIS, ET AL.

ON SUPERVISORY WRITS TO THE 18TH JUDICIAL DISTRICT  
COURT FOR THE PARISH OF IBERVILLE

Charles C. Foti, Jr., Attorney General,  
OATS & HUDSON,  
Clifton O. Bingham, Jr.,  
Alden Alfred Clement, Jr.,  
Special Assistant Attorneys General;  
For Applicant;

TRAPOLIN LAW FIRM,  
Miles G. Trapolin;  
For Respondent.

**2004-C -0794** STEVE PRATOR, SHERIFF OF CADDO PARISH, LOUISIANA vs.  
CADDO PARISH

ON WRIT OF REVIEW TO THE COURT OF APPEAL SECOND CIRCUIT

WEINER, WEISS & MADISON,  
John M. Madison, Jr., Susie Morgan,  
Michael Allyn Stroud, Mark L. Hornsby;  
For Applicant;

Charles C. Grubb, Parish Attorney,  
Alex J. Washington, Jr., Assistant Parish Attorney;  
PUGH, PUGH & PUGH,  
Robert G. Pugh;  
For Respondent.

MONDAY, OCTOBER 18, 2004

2:00 P.M. SESSION

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

**2004-C -0589** PETER V. DRISCOLL, M.D. vs. FRED J. STUCKER, M.D., ET  
AL.

ON WRIT OF REVIEW TO THE COURT OF APPEAL SECOND CIRCUIT

TAYLOR, PORTER, BROOKS & PHILLIPS,  
Thomas R. Peak;  
For Applicant;

TUTT, STROUD & BORDELON,  
Ansel M. Stroud, III;  
LAW OFFICE OF KENT MASTERSON BROWN,  
Kent M. Brown, Pro Hac Vice,  
Christopher J. Shaughnessy, Pro Hac Vice;  
For Respondent.

**2004-C -1086** LINDA FRITH vs. RIVERWOOD, INC.

ON WRIT OF REVIEW TO THE COURT OF APPEAL FIRST CIRCUIT

Marcus M. Zimmerman;  
For Applicant;

JUGE, MAPOLITANO, GUILBEAU, RULI, FRIEMAN & WHITEL,  
Lawrence B. Frieman;  
For Respondent.

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**TUESDAY, OCTOBER 19, 2004**

**9:30 A.M. SESSION**

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

**2004-C -0561** NOLAN DELCAMBRE AND PATRICIA DELCAMBRE vs. BLOOD SYSTEMS, INC.

ON WRIT OF REVIEW TO THE COURT OF APPEAL THIRD CIRCUIT

MILLING, BENSON, WOODWARD,  
F. Frank Fontenot,  
Kym Krystyna Keller;  
For Applicant;

LAWRENCE N. CURTIS, LTD.,  
Lawrence N. Curtis;  
For Respondent.

**2004-C -0646** BRENDA SUE CARTER, ET UX. vs. GARY STEPHEN HAYGOOD, DDS, ET AL.

ON WRIT OF REVIEW TO THE COURT OF APPEAL THIRD CIRCUIT

Anne Elizabeth Watson,  
Joseph R. Messina;  
For Applicant;

BOLEN, PARKER & BRENNER,  
James A. Bolen, Jr.,  
Donna Johnson Duplechian;  
For Respondent.

**POSTED:** September 3, 2004

**TUESDAY, OCTOBER 19, 2004**

**2:00 P.M. SESSION**

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

(Retired Judge Fred C. Sexton, Jr., sitting ad hoc for Kimball, J. recused in case No. 2004-B-0170 only)

**2004-B -0170** IN RE: JOHN CHRISTOPHER MARTIN

DISCIPLINARY PROCEEDINGS

Charles B. Plattsmier,  
Eric K. Barefield,  
Robin Marie DeSalle-Pittman;  
For Applicant;

CAPITELLI & WICKER,  
Ralph Capitelli;  
John Christopher Martin;  
For Respondent.

**2004-B -1453** IN RE: JOHN B. COMISH

DISCIPLINARY PROCEEDINGS

Charles B. Plattsmier,  
Julie Brown White;  
For Applicant;

Leonard Cardenas, III;  
John B. Comish;  
For Respondent.

(Retired Judge Lemmie O. Hightower, sitting ad hoc for Weimer, J., recused in case No. 2004-O-2123 only.)

**2004-O -2123** IN RE: JUDGE TIMOTHY C. ELLENDER

JUDICIARY COMMISSION OF LOUISIANA

OFFICE OF SPECIAL COUNSEL,  
Steven R. Scheckman, Special Counsel;

MCMAHON & MCMAHON,  
Philip J. McMahon;  
For Judge Ellender;

Nancy E. Rix;  
Commission Counsel.

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**WEDNESDAY, OCTOBER 20, 2004**

**9:30 A.M. SESSION**

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

**2004-C -0473** WILLIS-KNIGHTON MEDICAL CENTER vs. CADDO-SHREVEPORT SALES AND USE TAX COMMISSION

ON WRIT OF REVIEW TO THE COURT OF APPEAL SECOND CIRCUIT

ORECK, BRADLEY, CRIGHTON, ADAMS & CHASE,  
Jesse R. Adams, III,  
Andre B. Burvant;  
For Applicant;

BARHAM & WARNER,  
Richard G. Barham;  
For Respondent.

**2004-C -0814** CYNTHIA BRIDGES, SECRETARY, DEPARTMENT OF REVENUE, STATE OF LOUISIANA vs. AUTOZONE PROPERTIES, INC.

ON WRIT OF REVIEW TO THE COURT OF APPEAL FIRST CIRCUIT

WEILER & REES,  
John J. Weiler,  
Theodore D. Vicknair;  
For Applicant;

ORECK, BRADLEY, CRIGHTON, ADAMS & CHASE,  
Frederick W. Bradley,  
Nicole Crighton;  
For Respondent.

WEDNESDAY, OCTOBER 20, 2004

2:00 P.M. SESSION

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

**2004-KA-0846** STATE OF LOUISIANA vs. SHANTELL DENSON

ON APPEAL FROM THE CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

Charles C. Foti, Jr., Attorney General,  
Eddie J. Jordan, Jr., District Attorney,  
Valentin M. Solino, Assistant District Attorney;  
For Appellant;

TULANE LAW CLINIC,  
Katherine M. Mattes, Supervising Attorney,  
Pamela R. Metzger, Supervising Attorney;  
For Appellee.

**2001-KA-2730** STATE OF LOUISIANA vs. CLARENCE HARRIS

ON APPEAL FROM THE CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

CAPITAL APPEALS PROJECT,  
Jelpi P. Picou, Jr.,  
David Laurence Koen,  
Christopher Eades;  
For Appellant;

Charles C. Foti, Jr., Attorney General,  
Eddie J. Jordan, Jr., District Attorney,  
Claire Adriana White, Valentin M. Solino,  
Scott D. Peebles, Assistant District Attorneys;  
For Appellee.

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**THURSDAY, OCTOBER 21, 2004**

**9:30 A.M. SESSION**

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

- 2004-C -0485** JAMES W. LONG, ET AL. vs. STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
- ON WRIT OF REVIEW TO THE COURT OF APPEAL SECOND CIRCUIT
- Charles C. Foti, Jr., Attorney General,  
James R. Dawson, William E. Crawford, Jr.;  
Assistant Attorneys General;  
For Applicant;
- FEWELL-KITCHENS;  
Richard L. Fewell, Jr.,  
Edward D. Young,  
Robert T. Knight;  
For Respondent.
- 2004-C -1058** TAMEKO BENJAMIN, ON BEHALF OF HER MINOR CHILD, DARIONE BENJAMIN vs. HOUSING AUTHORITY OF NEW ORLEANS
- ON WRIT OF REVIEW TO THE COURT OF APPEAL FOURTH CIRCUIT
- Ammon L. Miller, Jr.;  
For Applicant;
- Frank M. Buck, Jr.;  
For Respondent.

**POSTED:** September 3, 2004

THURSDAY, OCTOBER 21, 2004

9:30 A.M. SESSION

(Retired Judge Thomas C. Wicker, Jr., sitting ad hoc for Traylor, J.,  
recused in case No. 2004-C-0968 only)

**2004-C -0968** TERREBONNE PARISH SCHOOL BOARD vs. CASTEX ENERGY, INC.  
SAMSON HYDROCARBONS COMPANY, BOIS D'ARC CORPORATION,  
FINA OIL & CHEMICAL COMPANY, SAMSON RESOURCES COMPANY

ON WRIT OF REVIEW TO THE COURT OF APPEAL FIRST CIRCUIT

LOCKE, LIDDELL & SAPP,  
Omer F. Kuebel, III, Michael V. Powell;  
STRAIN, DENNIS & BATES,  
Thomas C. McKowen, IV;  
JONES, WALKER, WAECHTER, POITEVENT, CARRERE & DENEGRÉ,  
John L. Duvieilh, Edward J. Koehl, Jr.;  
George C. Gibson;  
For Applicant;

GORDON, ARATA, MCCOLLAM, DUPLANTIS & EGAN,  
Denis C. Swords, Gregory G. Duplantis,  
Jamie S. Manuel;  
ST. MARTIN & WILLIAMS,  
Joseph G. Jevic, III, Michael X. St. Martin;  
GRAY LAW FIRM,  
Wade T. Visconte, A. J. Gray, III;  
KING, LEBLANC & BLAND,  
Elizabeth S. Wheeler, John A. Cangelosi,  
Joseph E. LeBlanc, Jr.;  
CARVER, DARDEN, KORETZKY, TESSIER, FINN, BLOSSMAN &  
AREAUX,  
Marshall T. Darden;  
MILLING, BENSON, WOODWARD,  
David N. Schell, Jr.;  
KEAN, MILLER, HAWTHORNE, D'ARMOND, MCCOWAN & JARMAN,  
Linda S. Akchin;  
LAPEYRE & LAPEYRE,  
Etienne C. Lapeyre;  
LISKOW & LEWIS,  
Kyle P. Polozola;  
Harry R. Holladay;  
For Respondent.

WEEKS & GONZALES,  
Patricia E. Weeks,  
John P. Gonzales;  
For Amicus Curiae.