

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, SEPTEMBER 3, 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

2013-B -0491 IN RE: TRENT ANTHONY GARRETT, SR.

BAR DISCIPLINARY PROCEEDING

OFFICE OF DISCIPLINARY COUNSEL,
Charles Bennett Plattsmier, Chief Disciplinary
Counsel,
Eric Reiley McClendon, Deputy Disciplinary Counsel;
For Applicant;

Trent Anthony Garrett, Sr.;
SCHIFF, SCHECKMAN & WHITE,
Julie Brown White;
For Respondent.

2012-OB-1459 IN RE: CHRISTOPHER MINIAS

BAR ADMISSIONS PROCEEDING

Christopher Minias (In Proper Person);
Dane S. Ciolino;
For Applicant;

COMMITTEE ON BAR ADMISSIONS,
Monique Rene Drake;
SCHEUERMANN & JONES, LLC,
Lawrence Joseph Centola, Jr.;
For Respondent.

Supreme Court of Louisiana

TUESDAY, SEPTEMBER 3, 2013

2:00 P.M. SESSION

2012-OB-2449 IN RE: BRANDI MICHELLE SANDERS

BAR ADMISSIONS PROCEEDING

Brandi Michelle Sanders (In Proper Person);
CRAWFORD & OGG,
Brian Evan Crawford,
Ramsey Lee Ogg;
For Applicant;

COMMITTEE ON BAR ADMISSIONS,
Monique Rene Drake;
SCHEUERMANN & JONES, LLC,
Lawrence Joseph Centola, Jr.;
For Respondent.

2012-C -2064 VADA GROUP, LP VS. JOHN L. GLASER, APRIL MARIE
GLASER BERGERON, CHARITY ANN GLASER, PAULINE MARIE
GLASER, ANGELLE ALINE GLASER, THEODORE H. GLASER, III,
CYNTHIA LONG STEIB, CHARLES R. GLASER, AUDREY GLASER
BROWNING, JOHN BURTON PRATHER, JEANETTE PRATHER
HEINEN, GEORGIE FAY PRATHER, CYNTHIA PRATHER
ROBERTSON, JOHNNIE PRATHER OLINGER, YVONNE PRATHER
CRAMER, MICHAEL J. CRAMER, ANTHONY E. CRAMER, RHENA
VIENNE CRAMER, BRENT BEAUVAIS, CYNTHIA MARIE BEAUVAIS,
JODIE HENDERSON WILLIAMS, SR., CHARLES G. CHAUVIN,
STACY MARIE CHAUVIN GUEHO, GRETCHEN ANN CHAUVIN
ALLEMAN, JASON ANDREW CHAUVIN, ADAIR CHAUVIN CHUTZ,
SHIRLEY BALLARD ELAM, FREDERICK DOMINGUE, MICHAEL
NORTHERN, SYLVIA NORTHERN, BRENDA SAM AND DAVID
MICHAEL MOYE

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

ELLISON & ELLISON,
David McQuown Ellison, Jr.;
For Applicant;

James C. Dewey;
Brent Barber Boxill;
Becky Lynn Chustz;
BREAZEALE, SACHSE & WILSON, LLP,
John Walton Barton, Jr.,
John Thomas Andrishok;
WEILL & DUNN, LLC,
Richard S. Dunn;
WALL, BULLINGTON & COOK,
Guy Earl Wall,
Sara Lewis;
For Respondent.

POSTED: JULY 19, 2013

Supreme Court of Louisiana

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WEDNESDAY, SEPTEMBER 4, 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

2012-CA-2742 JIMMIE J. JACKSON, SIMMS HARDIN AND KSD PROPERTIES,
LLC VS. THE CITY OF NEW ORLEANS AND THE DIRECTOR OF
FINANCE FOR THE CITY OF NEW ORLEANS

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

SCHEUERMANN & JONES, LLC,
Lawrence Blake Jones,
Errol Barry Conley;
SHER GARNER CAHILL RICHTER KLEIN & HILBERT, LLC,
Peter L. Hilbert, Jr.,
Joshua Simon Force,
Ryan Duane Adams,
Paul R. Trapani, III;
For Appellant;

FRANSEN & HARDIN,
A. Remy Fransen, Jr.,
Allain Freret Hardin;
For Appellee.

CONSOLIDATED WITH NO. 2012-CA-2743

Supreme Court of Louisiana

WEDNESDAY, SEPTEMBER 4, 2013

9:30 A.M. SESSION

2012-CA-2743 JIMMIE J. JACKSON, SIMMS HARDIN AND KSD PROPERTIES,
LLC VS. THE CITY OF NEW ORLEANS AND THE DIRECTOR OF
FINANCE FOR THE CITY OF NEW ORLEANS

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

FRANSEN & HARDIN,
A. Remy Fransen, Jr.,
Allain Freret Hardin;
For Appellant;

SCHEUERMANN & JONES, LLC,
Lawrence Blake Jones,
Errol Barry Conley;
SHER GARNER CAHILL RICHTER KLEIN & HILBERT, LLC,
Peter L. Hilbert, Jr.,
Joshua Simon Force,
Ryan Duane Adams,
Paul R. Trapani, III;
For Appellee.

2013-C -0353 GEORGE T. LUTHER AND JAMIE C. LUTHER VS. IOM COMPANY
LLC (F/K/A INTRA-OP MONITORING SERVICES LLC), DAN
JOACHIM M.D., JOHN PARTRIDGE AND ADMIRAL INSURANCE
COMPANY

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

MCNEW, KING, MILLS, BURCH & LANDRY, LLP,
Brady Dean, King, II;
For Applicant;

HAILEY, MCNAMARA, HALL, LARMANN & PAPALE, LLP,
Michael J. Vondenstein,
Joseph L. Spilman, III,
Ralph T. Rabalais;
MICHAEL J MESTAYER, APLC,
Michael John Mestayer;
G. Gregory Green;
For Respondent.

Supreme Court of Louisiana

WEDNESDAY, SEPTEMBER 4, 2013

9:30 A.M. SESSION

2013-C -0397 BARBARA SHAW VS. ACADIAN BUILDERS AND CONTRACTORS, LLC

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

(Retired Judge Robert J. Klees, assigned as Justice ad hoc, sitting for Hughes, J., recused, in case number 2013-C-0397 only.)

Argument Limited to
Fifteen Minutes
Each Side

Rick Anthony Alessi Esq. ;
For Applicant;

PUJOL, PRYOR & IRWIN, LLC
Barbara Lane Irwin,
Timothy Earle Pujol;
For Respondent.

2013-C -0890 STATE OF LOUISIANA OFFICE OF RISK MANAGEMENT,
LOUISIANA DEPARTMENT OF TRANSPORTATION & DEVELOPMENT
VS. PATRICK RICHARD

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, THIRD CIRCUIT, OFFICE OF WORKERS' COMPENSATION, DISTRICT 4

Argument Limited to
Fifteen Minutes
Each Side

DEPARTMENT OF JUSTICE, STATE OF LOUISIANA,
Hon. James D. Caldwell, Attorney General,
Sylvia M. Fordice, Assistant Attorney General;
For Applicant;

Michael Benny Miller Esq. ;
For Respondent.

POSTED: JULY 19, 2013

Supreme Court of Louisiana

WEDNESDAY, SEPTEMBER 4, 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

2012-OK-2763 STATE OF LOUISIANA VS. DARRYL TATE

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

DEPARTMENT OF JUSTICE, STATE OF LOUISIANA,
Hon. James D. Caldwell, Attorney General,
Colin Andrew Clark, Assistant Attorney General;
DISTRICT ATTORNEY'S OFFICE, ORLEANS PARISH,
Hon. Leon A. Cannizzaro, Jr., District Attorney,
Donna R. Andrieu, Chief of Appeal,
Scott Gerard Vincent, Assistant District Attorney;
For Applicant;

Darryl Tate (Pro Se);
TULANE LAW CLINIC,
Katherine Maris Mattes;
Bryan A. Stevenson, Pro Hac Vice;
For Respondent.

2013-K -0276 STATE OF LOUISIANA VS. BONIFACIO RAMIREZ

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

PUBLIC DEFENDER'S OFFICE, FIFTEENTH JUDICIAL DISTRICT,
Chad Michael Ikerd;
For Applicant;

LOUISIANA DEPARTMENT OF JUSTICE,
Hon. James D. Caldwell, Attorney General,
Colin Andrew Clark, Assistant Attorney General;
DISTRICT ATTORNEY'S OFFICE, FIFTEENTH JUDICIAL
DISTRICT,
Hon. Michael Harson, District Attorney,
James Nathan Prather, Jr. Assistant District Attorney;
For Respondent.

CONSOLIDATED WITH NOS. 2013-KK-0315, 2013-K-1271

Supreme Court of Louisiana

WEDNESDAY, SEPTEMBER 4, 2013

2:00 P.M. SESSION

2013-KK-315 STATE OF LOUISIANA VS. ROSA LUGO MARQUEZ

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

PUBLIC DEFENDER'S OFFICE, FIFTEENTH JUDICIAL DISTRICT,
Elliott Thomas Brown;
For Applicant;

DEPARTMENT OF JUSTICE, STATE OF LOUISIANA,
Hon. James D. Caldwell, Attorney General,
Colin Andrew Clark, Assistant Attorney General;
DISTRICT ATTORNEY'S OFFICE, FIFTEENTH JUDICIAL
DISTRICT,
Hon. Michael Harson, District Attorney,
Cynthia Kelly Simon, Assistant District Attorney;
For Respondent.

CONSOLIDATED WITH NOS. 2013-K-0276, 2013-K-1271

2013-K -1271 STATE OF LOUISIANA VS. ALEXIS SARRABEA

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

DEPARTMENT OF JUSTICE, STATE OF LOUISIANA,
Hon. James D. Caldwell, Attorney General,
Colin Andrew Clark, Assistant Attorney General;
DISTRICT ATTORNEY'S OFFICE, FIFTEENTH JUDICIAL
DISTRICT,
Hon. Michael Harson, District Attorney,
Mark Thomas Garber, Assistant District Attorney;
For Applicant;

PUBLIC DEFENDER'S OFFICE, FIFTEENTH JUDICIAL DISTRICT,
Chad Michael Ikerd;
For Respondent.

CONSOLIDATED WITH NOS. 2013-K-0276, 2013-KK-0315

Supreme Court of Louisiana

WEDNESDAY, SEPTEMBER 4, 2013

2:00 P.M. SESSION

2013-KP-873

STATE OF LOUISIANA VS. ALBERT NORMAN PIERRE

ON SUPERVISORY WRITS TO THE THIRTY SECOND JUDICIAL
DISTRICT COURT FOR THE PARISH OF TERREBONNE

Possible Summary
Disposition

DISTRICT ATTORNEY'S OFFICE, TERREBONNE PARISH,
Hon. Joseph L. Waitz, District Attorney,
Ellen Daigle Doskey, Assistant District Attorney;
For Applicant;

PUBLIC DEFENDER'S OFFICE, THIRTY SECOND JUDICIAL
DISTRICT,
Kerry Patrick Byrne,
Heather Jane Peth Fairchild;
For Respondent.

POSTED: JULY 19, 2013; REVISED: AUGUST 13, 2013;
REVISED: AUGUST 28, 2013

Supreme Court of Louisiana

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THURSDAY, SEPTEMBER 5, 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

2013-CA-1106 CARL KRIELOW, GLENDON MARCEAUX, PHILLIP J. WATKINS AND
SIMILARLY SITUATED PLAINTIFFS VS. LOUISIANA
DEPARTMENT OF AGRICULTURE AND FORESTRY

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

DEPARTMENT OF JUSTICE, STATE OF LOUISIANA,
Hon. James D. Caldwell, Attorney General,
Patricia Hill Wilton, Assistant Attorney General,
Emily Andrews, Assistant Attorney General;
HYMEL DAVIS & PETERSEN, LLC,
L. J. Hymel, Jr.,
Tim Paul Hartdegen;
IEYOUB LAW FIRM, LLC,
Richard Phillip Ieyoub;
For Appellant;

BANKSTON & ASSOCIATES, LLC,
Larry S. Bankston,
Jenna Linn;
PERAGINE & LORIO, LLC,
Alex J. Peragine,
Rebecca Rosamond Urland,
Brittany Dooley White;
For Appellee.

CONSOLIDATED WITH NO. 2013-CA-1448

Supreme Court of Louisiana

THURSDAY, SEPTEMBER 5, 2013
9:30 A.M. SESSION

2013-CA-1448 CARL KRIELOW, GLENDON MARCEAUX, PHILLIP J. WATKINS AND
SIMILARLY SITUATED PLAINTIFFS VS. LOUISIANA
DEPARTMENT OF AGRICULTURE AND FORESTRY

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

BANKSTON & ASSOCIATES, LLC,
Larry S. Bankston,
Jenna Linn;
PERAGINE & LORIO, LLC,
Alex J. Peragine,
Rebecca Rosamond Urland,
Brittany Dooley White;
For Appellant;

DEPARTMENT OF JUSTICE, STATE OF LOUISIANA,
Hon. James D. Caldwell, Attorney General,
Patricia Hill Wilton, Assistant Attorney General,
Emily Andrews, Assistant Attorney General;
HYMEL DAVIS & PETERSEN, LLC,
L. J. Hymel, Jr.,
Tim Paul Hartdegen;
IEYOUB LAW FIRM, LLC,
Richard Phillip Ieyoub;
For Appellee.

2013-C -0557 JAMES S. STUTTS AND LISA K. STUTTS VS. CHAD Z.
MELTON AND LAUREN MEADORS MELTON

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

TAYLOR, PORTER, BROOKS & PHILLIPS, LLP,
William Luther Wilson;
For Applicant;

Randall A. Shipp;
For Respondent.

2013-C -0579 CLYDE SNIDER, JR., ET UX VS. LOUISIANA MEDICAL
MUTUAL INSURANCE COMPANY, ET AL.

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

STOCKWELL, SIEVERT, VICCELLIO, CLEMENTS & SHADDOCK,
Benjamin Joseph Guilbeau,
Marcelynn H. Hartmann;
For Applicant;

BROUSSARD, HALCOMB & VIZZIER,
Daniel Elmo Broussard, Jr.;
For Respondent.

POSTED: JULY 19, 2013

Supreme Court of Louisiana

THURSDAY, SEPTEMBER 5, 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

2012-C -2504 CATAHOULA PARISH SCHOOL BOARD CATAHOULA PARISH POLICE
JURY VS. LOUISIANA MACHINERY RENTALS, LLC

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

RAINER, ANDING, MCLINDON & TALBOT,
Robert R. Rainer,
Drew Michael Talbot;
For Applicant;

JONES WALKER WAECHTER POITEVENT CARRERE & DENEGRÉ,
LLP,
Jesse R. Adams, III,
Andre Brian Burvant,
Kathryn Scioneaux Friel,
Matthew Andrew Mantle;
For Respondent.

CONSOLIDATED WITH CASE NO. 2013-C-0583

2013-C -0583 WASHINGTON PARISH SHERIFF'S OFFICE AND ROBERT J.
"BOBBY" CROWE, IN HIS OFFICIAL CAPACITY AS THE DULY
ELECTED SHERIFF AND EX-OFFICIO SALES AND USE TAX
COLLECTOR FOR WASHINGTON PARISH VS. LOUISIANA
MACHINERY COMPANY, LLC

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

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

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

Supreme Court of Louisiana

THURSDAY, SEPTEMBER 5, 2013

2:00 P.M. SESSION

2013-C -0669 STEVEN M. DAVIS VS. ELMER E. PRESCOTT, III, ET AL.

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

UNGLESBY LAW FIRM, LLC,
Lewis Owens Unglesby,
Barrett D. Burkart, Jr.;
Richard J. Gallot, Jr.;
For Applicant;

WATSON, BLANCHE, WILSON & POSNER,
Robert Warren Robison, Jr.,
Jennifer Montgomery Durham;
For Respondent.

2013-C -0691 BENJAMIN G. FIDELAK AND KERI TUBRE FIDELAK VS.
HOLMES EUROPEAN MOTORS, L.L.C. D/B/A LAND ROVER
SHREVEPORT, ET AL.

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

LUNN, IRION, SALLEY, CARLISLE & GARDNER,
William Orie Hunter, III,
Alexander J. Mijalis;
For Applicant;

Rodney Marchive Rabalais;
MAYER, SMITH & ROBERTS, LLP,
James Kristopher Jackson,
Daniel James Baker;
For Respondent.

POSTED: JULY 19, 2013

Supreme Court of Louisiana

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FRIDAY, SEPTEMBER 6, 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

2013-C -0749 REBEL DISTRIBUTORS CORP., INC. D/B/A PHYSICIAN PARTNER
AND PHARMACY PARTNER (MARY DOUCET) VS. LUBA WORKERS'
COMP., ET AL.

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

BLANCHARD, WALKER, O'QUIN & ROBERTS,
William Michael Adams,
Stacey Denise Williams;
GLENN ARMENTOR LAW CORPORATION,
Harry Karl Burdette;
For Applicant;

JUGE, NAPOLITANO, GUILBEAU, RULI, FRIEMAN & WHITEL,
Jeffrey Charles Napolitano;
For Respondent.

2013-B -1176 IN RE: FREDERICK A. STOLZLE, JR.

BAR DISCIPLINARY PROCEEDING

OFFICE OF DISCIPLINARY COUNSEL,
Charles Bennett Plattsmier, Chief Disciplinary
Counsel,
Gregory Lynn Tweed, Deputy Disciplinary Counsel;
For Applicant;

Frederick Andrew Stolzle, Jr. ;
For Respondent.

Supreme Court of Louisiana

FRIDAY, SEPTEMBER 6, 2013

9:30 A.M. SESSION

2013-C -0823 TIMOTHY JOHN RHYMES VS. DINA CONSTANTIN RHYMES

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

JAMES KIRK PICCIONE, APLC,
Brenda Sibille Piccione;
For Applicant;

COLOMB & SAIITTA,
Vincent Joseph Saitta,
Paul Jerome Guilliot;
For Respondent.

POSTED: JULY 19, 2013