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NEWS RELEASE # 60

FROM: CLERK OF SUPREME COURT OF LOUISIANA

The Opinions handed down on the 17th day of October, 2006, are as follows:

**PER CURIAM:**

2005-C -2337

ROYCE MONK, ET AL. v. STATE OF LOUISIANA, DOTD C/W DANA VEZINAT, ET AL.  
v. STATE OF LOUISIANA, DOTD C/W MARLIN LASHLEY, ET AL. v. STATE OF  
LOUISIANA, DOTD C/W GREG HARMON, ET AL. v. STATE OF LOUISIANA, DOTD  
(Parish of Vernon)

Accordingly, we recall our order of March 24, 2006, as improvidently  
granted, and we deny the State's application.

VICTORY, J., dissents and assigns reasons.  
WEIMER, J., dissents and assigns reasons.

10/17/2006

SUPREME COURT OF LOUISIANA

No. 2005-C-2337

ROYCE MONK, ET AL.

v.

STATE OF LOUISIANA, DOTD

c/w

DANA VEZINAT, ET AL.

v.

STATE OF LOUISIANA, DOTD

c/w

MARLIN LASHLEY, ET AL.

v.

STATE OF LOUISIANA, DOTD

c/w

GREG HARMON, ET AL.

v.

STATE OF LOUISIANA, DOTD

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

*PER CURIAM.*

Upon the State's writ application, we granted certiorari in this case. *Monk, et al. v. State of Louisiana, DOTD*, 05-C-2337 (La. 3/24/06), 925 So.2d 1238. After hearing oral arguments and reviewing the issues raised in this matter, we conclude that the judgment below does not require the exercise of our supervisory authority. Accordingly, we recall our order of March 24, 2006, as improvidently granted, and we deny the State's application.

10/17/2006

**SUPREME COURT OF LOUISIANA**

**NO. 05-C-2337**

***ROYCE MONK, ET AL.***

*versus*

***STATE OF LOUISIANA, DOTD***

*c/w*

***DANA VEZINAT, ET AL.***

*versus*

***STATE OF LOUISIANA, DOTD***

*c/w*

***GREG HARMON, ET AL.***

*versus*

***STATE OF LOUISIANA, DOTD***

ON APPLICATION FOR WRIT OF CERTIORARI TO THE  
COURT OF APPEAL, THIRD CIRCUIT,

**VICTORY, J., dissenting.**

I dissent from the recall of the writ and would render a full opinion on the merits.

10/17/2006

**SUPREME COURT OF LOUISIANA**

**No. 05-C-2337**

**ROYCE MONK, ET AL.  
versus  
STATE OF LOUISIANA, DOTD**

**c/w**

**DANA VEZINAT, ET AL.  
versus  
STATE OF LOUISIANA, DOTD**

**c/w**

**MARLIN LASHLEY, ET AL.  
versus  
STATE OF LOUISIANA, DOTD**

**c/w**

**GREG HARMON, ET AL.  
versus  
STATE OF LOUISIANA, DOTD**

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

**WEIMER, J.**, dissenting.

Because I am convinced the driver shares responsibility for causing this tragic accident, I would not recall the writ.