

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2010 CA 0276

SUNSHINE TRUCK STOP AND CASINO, L.L.C.

VERSUS

STATE OF LOUISIANA, THROUGH THE LOUISIANA GAMING
CONTROL BOARD AND THE LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS OFFICE OF STATE
POLICE, BUREAU OF INVESTIGATIONS, GAMING
ENFORCEMENT DIVISION AND LUCKY STAR AUTO/TRUCK
STOP, L.L.C.

Judgment Rendered: September 10, 2010.

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On Appeal from the
19th Judicial District Court,
In and for the Parish of East Baton Rouge,
State of Louisiana
Trial Court No. 574,946

The Honorable Wilson Fields, Judge Presiding

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BEFORE: CARTER, C.J., GAIDRY AND WELCH, JJ.

*File
Welch J. concurs without reasons*

CARTER, C. J.

By this appeal, Sunshine Truck Stop & Casino, L.L.C. (“Sunshine”) seeks review of a judgment of the trial court sustaining peremptory exceptions raising the objections of no cause and no right of action urged by Lucky Star Auto/Truck Stop, L.L.C. In the companion appeal of **Sunshine Truck Stop and Casino, L.L.C. v. State of Louisiana, through the Louisiana Gaming Control Board**, bearing docket number 10-0249, also rendered this date, this court determined that Sunshine’s petition should be dismissed for lack of subject matter jurisdiction and because Sunshine lacks standing or a right of action. Thus, for reasons expressed in that companion appeal, the trial court’s judgment of November 13, 2009, which dismissed Sunshine’s petition, is affirmed. Costs of this appeal are assessed to Sunshine Truck Stop & Casino, L.L.C. This opinion is issued in accordance with Uniform Court of Appeal Rule 2-16.2A(1),(6),(10).

AFFIRMED.