

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

ANDREW WETZEL

NO. 2014 CW 0722

VERSUS

ROBERT C. TANNER

AUG 28 2014

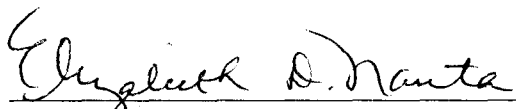
In Re: Andrew Wetzel, applying for supervisory writs, 22nd
Judicial District Court, Parish of Washington, No.
105790.

BEFORE: PARRO, McDONALD AND CRAIN, JJ.

WRIT DENIED IN PART AND DENIED ON THE SHOWING MADE IN PART. Relator's argument that the automatic stay provisions of La. R.S. 15:1186 violate his right of access to courts lacks merit and the writ is denied as to that claim. See **Warren v. Easter**, 2005-0441 (La. App. 1st Cir. 9/23/05), 914 So.2d 586, 587. As to relator's argument that the exception to the automatic stay provisions in La. R.S. 15:1186(B)(2)(d)(iii) is applicable to his case, relator has failed to provide this Court with documentation, such as the petition and records of exhaustion of his administrative remedies through a CARP proceeding that might indicate he is in imminent danger of serious physical injury, the suit solely seeks injunctive relief to avoid danger, and relief is available in the suit that will avert danger. Accordingly, we deny the writ on the showing made insofar as it pertains to the claim that relator's suit is exempt from the automatic stay provisions.

WJC
RHP
JMM

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FOR THE COURT