

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

IN RE: MEDICAL REVIEW PANEL
FOR THE CLAIM OF SCOTT VOGT

NO. 2014 CW 1003

SEP 08 2014

In Re: Dr. Dustin C. White, DDS, applying for supervisory writs, 21st Judicial District Court, Parish of Tangipahoa, No. 2014-0091.

BEFORE: KUHN, PETTIGREW, AND WELCH, JJ.


WRIT NOT CONSIDERED. Relator failed to provide proof that the notice of intent filed on June 25, 2014, was timely under Rules 4-2 and 4-3, Uniform Rules of Louisiana Courts of Appeal, in accordance with the provisions of La. Code Civ. P. art. 1914 (A) and (B). The notice of intent was filed more than 30 days after the hearing. Relators failed to comply with Rule 4-5, Uniform Rules of Louisiana Courts of Appeal, in that the writ application does not contain a copy of the pertinent court minutes or a transcript. The matter came for hearing on May 19, 2014, at which time the trial court made an oral ruling; however, there is no evidence that a judgment was ordered by the trial court or that a written request for a judgment was filed within 10 days of the ruling in open court so as to make the notice of intent filed on June 25, 2014, timely under Rules 4-2 and 4-3. See La. Code Civ. P. art. 1914(A) and (B).

Supplementation of this writ application and/or an application for rehearing will not be considered. Rules 4-9 and 2-18.7, Uniform Rules of Louisiana Courts of Appeal.

In the event relator seeks to file a new application with this Court, it must contain all pertinent documentation, including documentation to show the original writ application was timely, and must comply with Rule 2-12.2, Uniform Rules of Louisiana Courts of Appeal. Any new application must be filed on or before September 22, 2014, and must contain a copy of this ruling.

JTP
JEW
JEK

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT