

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

VERNICE KENT AS SURVIVING
MOTHER OF SANTRELL GLOVER

NO. 2014 CW 1010

VERSUS

STATE OF LOUISIANA THROUGH
THE DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS

SEP 23 2014


In Re: Louisiana Department of Public Safety and Corrections,
applying for supervisory writs, 19th Judicial District
Court, Parish of East Baton Rouge, No. 627,677.

BEFORE: GUIDRY, THERIOT, AND DRAKE, JJ.

WRIT GRANTED. The district court's June 23, 2014 ruling, which overruled the defendant's declinatory exception raising the objection of improper venue, is reversed, and judgment is hereby rendered sustaining the exception. The plaintiff's survival and wrongful death claims constitute "civil actions with respect to prison conditions," under La. R.S. 15:1181 (2) of the Prison Litigation Reform Act, and therefore, the exclusive venue provision under the Act, La. R.S. 15:1184 (F), governs. The proper venue for this lawsuit is the 33rd Judicial District Court in Allen Parish, Louisiana. The matter is remanded to the 19th Judicial District Court with instructions to either dismiss it, or in the interest of justice, transfer it to the 33rd Judicial District Court, pursuant to La. Code Civ. P. art. 121.

EGD
JMG
MRT

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT