

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

ELLEN SONNIER AND MARK
SONNIER ON BEHALF OF TALON
SONNIER, A MINOR CHILD V.
TOYOTA MOTOR CORPORATION,
TOYOTA MOTOR SALES, U.S.A.,
INC., WAYNE JAMES AGNELLY
AND GEICO CASUALTY COMPANY

NO. 2018 CW 0186

APRIL 6, 2018

CONSOLIDATED WITH

AMY NEWMAN V. DIAMOND MOTORS
OF WALKER, LLC, ET AL

In Re: State Farm Mutual Automobile Insurance Company,
applying for supervisory writs, 18th Judicial District
Court, Parish of Pointe Coupee, No. 46177 c/w 46207.

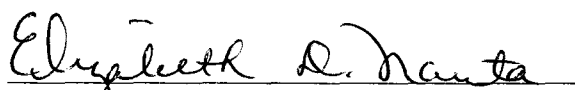
BEFORE: WHIPPLE, C.J., McDONALD, HIGGINBOTHAM, CHUTZ AND PENZATO, JJ.

WRIT DENIED. In light of our ruling in 2018CW0199, also
decided this date, we deny the writ.

**JMM
TMH
WRC
AHP**

Whipple, C.J., dissents and would not consider the writ. Relator failed to provide proof that this writ application is timely under Uniform Rules of Louisiana Courts of Appeal, Rule 4-3. Pursuant to the order on Relator's notice of intent, the return date was within "30 days of this court's issuance of a written judgment..." The record does not contain a notice of signing, and the Clerk of Court's stamp on the judgment is ambiguous and does not expressly state the date the notice was sent to the parties. This court cannot determine when the judgment was "issued" and, as a result, whether Relator's writ application was timely filed. Additionally, Relator failed to comply with Uniform Rules for Louisiana Courts of Appeal, Rule 4-5(C)(9) in that the application does not contain a copy of plaintiff's exhibits filed in opposition to Relator's motion for summary judgment.

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DEPUTY CLERK OF COURT
FOR THE COURT