

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 0220

APRIL 6, 2018

CONSOLIDATED WITH

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

In Re: Alvin LaVergne, applying for supervisory writs, 18th
Judicial District Court, Parish of Pointe Coupee, No.
46177 c/w 46207.

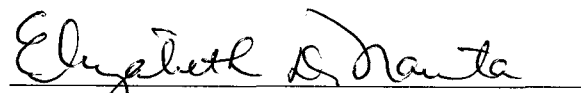
BEFORE: WHIPPLE, C.J, McDONALD, HIGGINBOTHAM, CHUTZ AND PENZATO, JJ.

WRIT GRANTED. The trial court erred in denying Relator's exception raising the objection of no right of action. La. R.S. 32:701, *et seq.* does not create a private right of action to allow tort victims to pursue personal injury claims against those who allegedly violate the provisions of the Vehicle Certificate of Title Law. See **Anderson v. Ochsner Health Sys.**, 2013-2970 (La. 07/01/14), 172 So.3d 579, 581, employing rules of statutory interpretation to determine whether the legislature intended to create a private right of action. See also **Louisiana Hosp. Ass'n v. State**, 2013-0579 (La. App. 1 Cir. 12/30/14), 168 So.3d 676, 686, writ denied sub nom., **Louisiana Hosp. Ass'n v. State ex rel. Dep't of Ins.**, 2015-0215 (La. 5/1/15), 169 So.3d 372, "The meaning and intent of a law is determined by considering the law in its entirety and all other laws on the same subject matter and placing a construction on the provision in question that is consistent with the express terms of the law and with the obvious intent of the legislature in enacting it." Consequently, the trial court's judgment, dated January 9, 2018, denying Alvin LaVergne's exception raising the objection of no right of action is hereby reversed, and Alvin LaVergne is dismissed as a party from this proceeding.

JMM
TMH
WRC
AHP

Whipple, C.J., dissents and would deny the writ on the showing made.

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DEPUTY CLERK OF COURT
FOR THE COURT