

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

IN THE MATTER OF THE
SUCCESSION OF MICHAEL
BAKARICH

NO. 2018 CW 0810

OCT 10 2018

In Re: Mahree Moyle Hill, applying for supervisory writs,
21st Judicial District Court, Parish of Tangipahoa,
No. 2018131.

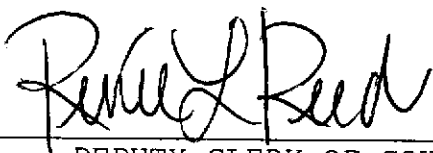
BEFORE: McDONALD, CRAIN, AND HOLDRIDGE, JJ.

WRIT GRANTED. The trial court erred in determining the relator, Mahree Moyle Hill, "has no standing to conduct discovery in this matter." Hill submitted evidence establishing she is a defendant to a petition for intervention filed in the succession proceeding entitled "Succession of Michael Bakarich," pending in the First Judicial District Court, Parish of Caddo, under docket number 586300. She answered that petition and raised defenses. She is also a defendant in the related petition seeking probate of a copy of the testament, which was filed in the same succession proceeding. She answered that petition and asserted defenses. Finally, she is an alleged intestate heir of the decedent, with an interest in whether the testamentary dispositions and designations are enforceable. See **Matter of Succession of Buhler**, 2017-0049, (La. App. 1st Cir. 2/22/18), 243 So.3d 39, 46, writ not considered, 2018-0478 (La. 5/11/18), 241 So.3d 1013. The trial court abused its discretion in granting the ex parte motion for protective order filed by Barton Miguez and Susan Miguez, and quashing the request for discovery; therefore, the May 15, 2018 order is reversed.

JMM
WJC

Holdridge, J., concurs.

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FOR THE COURT