

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2021 CA 0441

ROSE CALI

VERSUS

HOSPITAL SERVICE DISTRICT NO. 1 OF TANGIPAOHA PARISH D/B/A
NORTH OAKS MEDICAL CENTER AND/OR NORTH OAKS
REHABILITATION HOSPITAL, LLC

Judgment Rendered: DEC 22 2021

Appealed from the 21st Judicial District Court
In and for the Parish of Tangipahoa
State of Louisiana
Case No. 2019-0001094

The Honorable Brenda Bedsole Ricks, Judge Presiding

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Health System and/or North Oaks
Rehabilitation Center, North Oaks
Medical Center, North Oaks
Rehabilitation Hospital, LLC

BEFORE: LANIER, WOLFE, AND BURRIS,¹ JJ.

¹ The Honorable William J. Burris, retired, is serving *pro tempore* by special appointment of the Louisiana Supreme Court.

LANIER, J.

This matter is before us on appeal by the defendant, Hospital Service District No. 1 of Tangipahoa, d/b/a North Oaks Medical Center and/or North Oaks Rehabilitation Hospital, LLC (North Oaks), from the granting of a motion for partial summary judgment in favor of the plaintiff, Rose Cali, by the 21st Judicial District Court.²

In addition to the instant appeal, North Oaks filed an application for a supervisory writ of the same judgment that is the subject of this appeal, which was signed by the district court on September 21, 2020. On January 26, 2021, this court granted the writ and reversed the September 21, 2020 judgment, finding the existence of a genuine issue of material fact. See *Rose Cali v. Hospital Service District # 1 of Tangipahoa Parish d/b/a North Oaks Medical Center and/or North Oaks Rehabilitation Hospital, LLC*, 2020-1084 (La. App. 1 Cir. 1/26/21) (unpublished writ action). The writ action rendered this appeal of the same judgment moot. Consequently, this appeal is dismissed. See *Felder v. Political Firm, L.L.C.*, 2014-1266 (La. App. 1 Cir. 4/24/15), 170 So.3d 1022, 1027. We issue this summary opinion pursuant to Uniform Rules-Courts of Appeal, Rule 2-16.2(A)(1) and (3).³

APPEAL DISMISSED.

² Since this is a summary opinion in which we are dismissing the appeal, the merits of the case and the underlying facts will not be addressed.

³ North Oaks also raises on appeal the issue of whether the district court's dismissal of the order of appeal was proper. North Oaks filed an application for a supervisory writ with respect to that matter. This court denied that writ as moot due to our previous writ ruling of January 26, 2021, in which we reversed the district court's partial summary judgment. See *Rose Cali v. Hospital Service District No. 1 of Tangipahoa Parish d/b/a North Oaks Medical Center and/or North Oaks Rehabilitation Hospital, LLC*, 2021-0025 (La. App. 1 Cir. 4/22/21), 2021 WL 1575814 (unpublished writ action). Additionally, this court issued a rule to show cause order as to whether the judgment on appeal is deficient in its decretal language, which was referred to this panel for consideration. *Rose Cali v. Hospital Service District No. 1 of Tangipahoa Parish d/b/a North Oaks Medical Center and/or North Oaks Rehabilitation Hospital, LLC*, 2021-0441 (La. App. 1 Cir. 7/19/21) (unpublished order). Based on our ruling today, the two aforementioned matters are moot and need not be addressed.