

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

MICHAEL FOX

NO. 2021 CW 0808

VERSUS

SGT. ERIC BURCH AND STATE OF
LOUISIANA THROUGH LOUISIANA
DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONS, RAYBURN
CORRECTIONAL CENTER

OCT 12 2021


In Re: Michael Fox, applying for supervisory writs, 22nd
Judicial District Court, Parish of Washington, No.
114823.

BEFORE: GUIDRY, HOLDRIDGE, AND CHUTZ, JJ.

STAY DENIED; WRIT GRANTED. The district court's judgment, which granted the declinatory exception of insufficient service of process filed by defendants, Sergeant Eric Burch and State of Louisiana through Louisiana Department of Public Safety and Corrections, Rayburn Correctional Institute, is reversed. La. R.S. R.S. 39:1538 does not require that the Office of Risk Management be served with citation and process, but only that it be served with process. Accordingly, the declinatory exception of insufficient service of process filed by defendants is denied.

JMG
GH
WRC

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DEPUTY CLERK OF COURT
FOR THE COURT