

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

ANTHONY MISITA AND GLENN AND  
LINDA TORRES

NO. 2021 CW 0948

VERSUS

GERALD CAIME, JR. ET AL

**OCTOBER 18, 2021**

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In Re: Anthony Misita and Glenn and Linda Torres, applying for supervisory writs, 22nd Judicial District Court, Parish of St. Tammany, No. 2019-15014.

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**BEFORE: LANIER, WOLFE, AND BURRIS,<sup>1</sup> JJ.**

**WRIT GRANTED IN PART WITH ORDER; DENIED IN PART.** The portion of the district court's July 16, 2021 order setting the bond at \$10,000 was legal error and is hereby vacated. The June 10, 2021 judgment from which Plaintiffs seek to appeal includes a monetary award in favor of certain defendants. Thus, the amount of security to be furnished for a suspensive appeal is dictated by La. Code Civ. P. art. 2124(B)(1), which provides, "When the judgment is for a sum of money, the amount of the security shall be equal to the amount of the judgment, including the interest allowed by the judgment to the date the security is furnished, exclusive of costs." Accordingly, we grant the writ and remand the matter to the district court to fix the security for a suspensive appeal to an amount equal to the amount of the judgment, including the interest allowed by the judgment to the date the security is furnished, exclusive of the costs. The writ application is denied in all other respects.

**WIL  
EW  
WJB**

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT  
FOR THE COURT

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<sup>1</sup> Judge William J. Burris, retired, serving *pro tempore* by special appointment of the Louisiana Supreme Court.