

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

ERNEST RENEY, PAUL RENEY,  
PATRICIA JOHNSON, AND  
ELIZABETH RENEY

NO. 2021 CW 1148

VERSUS

SHELTON RESTAURANT GROUP,  
LLC D/B/A POPEYE'S LOUISIANA  
KITCHEN, AND INSURANCE  
PROGRAMS OF AMERICA, INC.

DECEMBER 20, 2021

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In Re: Shelton Restaurant Group, LLC d/b/a Popeye's Louisiana Kitchen, United Specialty Insurance Company, and Insurance Programs of America, Inc., applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 683,934.

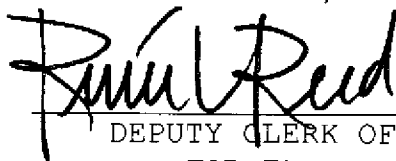
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**BEFORE: McCLENDON, WELCH, AND THERIOT, JJ.**

**WRIT GRANTED WITH ORDER.** The trial court's June 16, 2021 judgment that denied the motion for summary judgment filed by defendants, Shelton Restaurant Group, LLC d/b/a Popeye's Louisiana Kitchen and Insurance Programs of America, Inc., is vacated. Defendants raised objections to the evidence submitted by plaintiffs, Ernest Reney, Paul Reney, Patricia Johnson, and Elizabeth Reney, with their supplemental opposition to defendants' motion for summary judgment. The trial court failed to rule on the admissibility of such evidence in accordance with La. Code Civ. P. art. 966(D)(2), which provides that the court shall specifically state on the record or in writing which documents, if any, it held to be inadmissible or declined to consider prior to rendering judgment. This matter is remanded to the trial court for compliance with La. Code Civ. P. art. 966(D)(2), and a ruling on defendants' motion for summary judgment after determination of any evidentiary issues pursuant to La. Code Civ. P. art. 966(C)(b)(4).

PMc  
JEW  
MRT

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT  
FOR THE COURT