

**RAYMOND ZELLARS** \* **NO. 2003-CA-0103**  
**VERSUS** \* **COURT OF APPEAL**  
**NEW ORLEANS SAINTS** \* **FOURTH CIRCUIT**  
\* **STATE OF LOUISIANA**  
\* \* \* \* \*

APPEAL FROM  
THE OFFICE OF WORKERS' COMPENSATION  
NO. 99-02133, DISTRICT "EIGHT"  
Honorable Clara E. Toombs, Workers' Compensation Judge  
\* \* \* \* \*

**PER CURIAM**  
\* \* \* \* \*

(Court composed of Chief Judge Joan Bernard Armstrong, Judge Dennis R. Bagneris Sr. and Judge Michael E. Kirby)

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**REVERSED AND REMANDED.**

The claimant was injured in November or December 1996. The employer paid some of his medical expenses for treatment received in January 1997. The claimant initiated this workers compensation proceeding April 1, 1999. When an employer has paid some medical expenses, claims for other medical expenses prescribe three years after the last payment of any medical expenses by the employer. La. R.S. 23:1209.C; Boquet v. Tetra Technologies, Inc., 2002-1634 (La. 02/25/03), 839 So.2d 13, 15, 17-18. The claimant instituted this workers compensation proceeding less than three years after January 1997, so, as to claims for medical expenses only, the claim is not prescribed.

Accordingly, the judgment of the trial court sustaining the exception of prescription is reversed as to medical expense claims and this case is remanded for further proceedings.

**REVERSED AND REMANDED.**