

WARDETTE DUCOTE

*

NO. 2015-CA-0764

VERSUS

*

COURT OF APPEAL

**MICHAEL BOLEWARE, ET
AL.**

*

FOURTH CIRCUIT

*

STATE OF LOUISIANA

* * * * *

APPEAL FROM
CIVIL DISTRICT COURT, ORLEANS PARISH
NO. 2011-04319, DIVISION "L-6"
Honorable Kern A. Reese, Judge

* * * * *

Judge Rosemary Ledet

* * * * *

(Court composed of Judge Joy Cossich Lobrano, Judge Rosemary Ledet, Judge
Sandra Cabrina Jenkins)

LOBRANO, J., DISSENTS WITH REASONS

Richard L. Ducote
4800 Liberty Avenue, Third Floor
Pittsburgh, PA 15224

Denis W. Barry, Jr.
28350 Charley Watts Road
Livingston, LA 70754

COUNSEL FOR PLAINTIFF/APPELLANT

Michael J. Madere
LAW OFFICES OF ROBERT D. FORD
111 Veterans Boulevard
Suite 1970
Metairie, LA 70005

COUNSEL FOR DEFENDANT/APPELLEE

**REHEARING GRANTED FOR CLARIFICATION;
JUDGMENT UNCHANGED**

MARCH 4, 2016

We grant the application for rehearing for clarification purposes only. As Wardette Ducote correctly points out in her application for rehearing, the New Orleans ordinances cited in our original opinion are not the ordinances in effect on the date of the accident. Nonetheless, even under the ordinances in effect on the date of the accident, the result in this case remains the same. Therefore, our original opinion remains unchanged.

**REHEARING GRANTED FOR CLARIFICATION;
JUDGMENT UNCHANGED**