

1137 N. ROBERTSON, LLC

*

NO. 2019-CA-0553

VERSUS

*

COURT OF APPEAL

**FELICEON CHRISCHELL
JACKSON**

*

FOURTH CIRCUIT

*

STATE OF LOUISIANA

*

*

*** * * * ***

DYSART, J., CONCURS, WITH REASONS.

I write separately to express that at the time the default judgment was obtained, Ms. Jackson was an unrepresented litigant. She caused to be filed an affidavit of nullification as provided in La. R.S. 9:5633 J, and argues that provision of the statute is conclusive proof of plaintiff's non-compliance with the requirements of the statute.

While La. R.S. 9:5633 J does provide as such, it is effective only "in the event that the possessor does not comply with the provisions of Subsection A." Here, it appears that plaintiff did comply with the requirements.

Although in this writer's opinion the result seems harsh, it appears that plaintiff has complied with the statutory provisions, and for these reasons, I respectfully concur.