

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

**Knoll, et al**

**Civil Action No. 1:11cv01725**

**Versus**

**Judge Richard T. Haik, Sr.**

**Banner Life Ins. Co.**

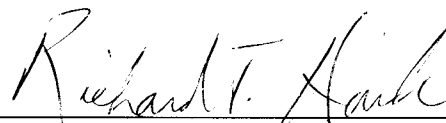
**Magistrate Judge C. Michael Hill**

**ORDER**

Before the Court is a Notice Of Intent To Take Supervisory Writ filed by Defendant in Interpleader, Adrienne Theriot, in which Theriot indicates her intent to seek a supervisory writ from the Fifth Circuit on the Court's May 23, 2013 ruling in this case related to a supersedeas bond. In her motion, Theriot requests that the Court "set a reasonable return date within which the application shall be filed in the appellate court." Theriot does not cite any authority for her request, and the Court is unaware of any requirement that a return date to file a supervisory writ of review with the United States Court of Appeals for the Fifth Circuit be entered by the District Court. Rather, the filing of a writ of mandamus is governed by the All Writs Act, 28 U.S.C. § 1651(a), and Federal Rule of Appellate Procedure 21. Accordingly,

**IT IS ORDERED** that the Notice Of Intent To Take Supervisory Writ [Rec. Doc. 108] filed by Defendant in Interpleader, Adrienne Theriot is **DENIED AS MOOT**.

**THUS DONE AND SIGNED** in Lafayette, Louisiana, this 17<sup>th</sup> day of June, 2013.



RICHARD T. HAIK, SR  
UNITED STATES DISTRICT JUDGE