

CACH, LLC

NO. 14-CA-720

VERSUS

FIFTH CIRCUIT

THOMAS J. TUCKER

COURT OF APPEAL

STATE OF LOUISIANA

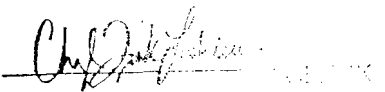
ON APPEAL FROM THE FORTIETH JUDICIAL DISTRICT COURT
PARISH OF ST. JOHN THE BAPTIST, STATE OF LOUISIANA
NO. 65,807, DIVISION "C"
HONORABLE J. STERLING SNOWDY, JUDGE PRESIDING

MARCH 11, 2015

COURT OF APPEAL
FIFTH CIRCUIT

FILED MAR 11 2015

ROBERT M. MURPHY
JUDGE


Cheryl Quirk London

Panel composed of Judges Susan M. Chehardy, Marc E. Johnson, and
Robert M. Murphy

BLAKE E. OAKES
D. MICHAEL DENDY
ATTORNEYS AT LAW
110 Veterans Boulevard
Suite 560
Metairie, Louisiana 70005
COUNSEL FOR PLAINTIFF/APPELLEE

THOMAS J. TUCKER
IN PROPER PERSON
217 North 11th Street
Thibodaux, Louisiana 70301
COUNSEL FOR DEFENDANT/APPELLANT

DEFAULT VACATED AND
REMANDED

EMM
SMC
USA

On May 22, 2014, Tucker, in proper person, filed a “motion for relief from judgment and or appeal” directed to the trial court’s April 10, 2014 judgment against him on a credit card collection matter. He contended he did not receive notice of hearing and that he was not afforded due process of law.

The trial court granted Tucker a devolutive appeal on July 23, 2014. On December 15, 2014, appellee consented to the relief sought “to have the [default] matter remanded to the trial court and set for hearing.”

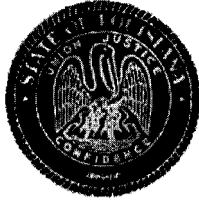
Due to the consent of the parties, the appeal is moot. Accordingly, we vacate the default judgment and remand the matter for further proceedings. See U.R.C.A. Rule 2-16.2.

DEFAULT VACATED AND
REMANDED

SUSAN M. CHEARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
ROBERT A. CHAISSON
ROBERT M. MURPHY
STEPHEN J. WINDHORST
HANS J. LILJEBERG

JUDGES



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETNA, LOUISIANA 70054
www.fifthcircuit.org

CHERYL Q. LANDRIEU
CLERK OF COURT

MARY E. LEGNON
CHIEF DEPUTY CLERK

SUSAN BUCHHOLZ
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

(504) 376-1400

(504) 376-1498 FAX

**NOTICE OF JUDGMENT AND
CERTIFICATE OF DELIVERY**

I CERTIFY THAT A COPY OF THE OPINION IN THE BELOW-NUMBERED MATTER HAS BEEN DELIVERED IN ACCORDANCE WITH **Uniform Rules - Court of Appeal, Rule 2-20** THIS DAY **MARCH 11, 2015** TO THE TRIAL JUDGE, COUNSEL OF RECORD AND ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

A handwritten signature in cursive script, appearing to read "Cheryl Q. Landrieu", written over a horizontal line.

CHERYL Q. LANDRIEU
CLERK OF COURT

14-CA-720

E-NOTIFIED

BLAKE E. OAKES

MAILED

D. MICHAEL DENDY
ATTORNEY AT LAW
110 VETERANS BOULEVARD
SUITE 560
METAIRIE, LA 70005

THOMAS J. TUCKER
217 NORTH 11TH STREET
THIBODAUX, LA 70301