

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

SHARON RHYMER AND TERRY
RHYMER

NO. 2013 CW 0149

VERSUS

DO TRIO-B OPERATIONAL
ENTERPRISES, LP, D/B/A
PANCHO'S MEXICAN SUPER
BUFFET

APR 08 2013

In Re: Sharon Rhymer and Terry Rhymer, applying for
supervisory writs, 19th Judicial District Court,
Parish of East Baton Rouge, No. 601825.


BEFORE: GUIDRY, CRAIN, AND THERIOT, JJ.

WRIT DENIED.

MRT
WJC

GUIDRY, J., concurs. The Louisiana Supreme Court set forth the criteria for the exercise of supervisory jurisdiction by an appellate court in **Herlitz Const. Co. v. Hotel Investors of New Iberia, Inc.**, 396 So.2d 878 (La. 1981). Insofar as the criteria of **Herlitz** are not met in this case, I would decline to exercise supervisory jurisdiction. Relator has an adequate remedy by review on appeal after a final judgment on the merits.

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DEPUTY CLERK OF COURT
FOR THE COURT