

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

HENRY MOORE, JR.

NO. 2013 CW 2051

VERSUS

MURPHY OIL USA, INC., AND
LIBERTY MUTUAL FIRE
INSURANCE COMPANY

FEB 27 2014

In Re: Murphy Oil USA, Inc., and Liberty Mutual Fire Insurance Company, applying for supervisory writs, 21st Judicial District Court, Parish of Tangipahoa, No. 2012-0003321.

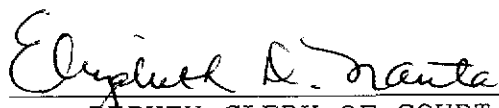
BEFORE: KUHN, HIGGINBOTHAM, AND THERIOT, JJ.

WRIT DENIED. See Broussard v. State ex rel Office of State Bldgs., 2012-1238 (La. 4/5/13), 113 So.3d 175.

JEK
TMH

THERIOT, J., dissents and would grant the writ. The large display stand was open and obvious to plaintiff, Henry Moore, Jr. He admitted seeing it as he entered the store, and he failed to see what he should have seen as he exited the store. Accordingly, I conclude there are no genuine issues of material fact and relators are entitled to judgment as a matter of law. La. C.C.P. art. 966(B).

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DEPUTY CLERK OF COURT
FOR THE COURT