

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

DAMION COMEAUX

NO. 2013 CW 2057

VERSUS

AUSTIN J. ROMERO, ABBEVILLE
POLICE DEPARTMENT AND/OR
CITY OF ABBEVILLE, THE
LOUISIANA MUNICIPAL
ASSOCIATION AND ZURICH
AMERICAN INSURANCE COMPANY

FEB 27 2014


In Re: City of Abbeville, applying for supervisory writs,
19th Judicial District Court, Parish of East Baton
Rouge, No. 621,527.

BEFORE: KUHN, HIGGINBOTHAM AND THERIOT, JJ.

WRIT GRANTED IN PART AND DENIED IN PART. We grant the writ filed by the relator, City of Abbeville, and vacate those portions of the trial court's judgment dated October 10, 2013, which ordered that the defendants are required to waive any defense that they may have regarding prescription. That portion of the judgment sustaining the relator's exception of improper venue is maintained. This Court orders that this entire matter be transferred to Vermillion Parish pursuant to La. Code Civ. P. art. 121 in compliance with La. R.S. 13:5401(B).

**MRT
TMH
JEK**

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT