

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

THOMAS GORMAN

NO. 2014 CW 1326

VERSUS

LIEUTENANT AUSTIN MILLER,  
DEPUTY ANDREW, DEPUTY TOM  
FLOYD, AND DEPUTY ROBERT  
REDMOND

DECEMBER 16, 2014

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In Re: Thomas Gorman, applying for supervisory writs, 20th  
Judicial District Court, Parish of East Feliciana, No.  
41248.

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**BEFORE: WHIPPLE, C.J., GUIDRY AND HIGGINBOTHAM, JJ.**

**WRIT NOT CONSIDERED.** Relator has failed to comply with Rules 4-2, 4-3 and 4-5C(6)(11), Uniform Rules of Louisiana Courts of Appeal, in that the writ application does not contain a notice of intent showing the filing date, a signed return date order setting the date fixed by the trial court or a copy of the judgment, order or ruling at issue. Under these rules, a return date must be set and an application filed with this Court within 30 days from the date of ruling, unless the trial court had, upon proper timely showing, extended the return date. Without this documentation, this Court is unable to determine whether relator's writ application was timely filed.


Supplementation of this writ application and/or an application for rehearing will not be considered. Uniform Rules of Louisiana Courts of Appeal, Rules 4-9 and 2-18.7.

In the event relator seeks to file a new application with this Court, it must contain all pertinent documentation and must comply with Rules 2-12.2, Uniform Rules of Louisiana Courts of Appeal. Any new application must be filed on or before January 5, 2015, and must contain a copy of this ruling.

**VGW**  
**TMH**

**Guidry, J.**, dissents and is of the belief that the trial court must first determine, after a hearing on Mr. Gorman's motion and consideration of the previously excluded evidence, whether he established a prima facie case sufficient to support confirmation of a default judgment. **Sessions & Fishman v. Liquid Air Corporation**, 616 So.2d 1254 (La. 1993); **Rhodes v. All Star Ford, Inc.**, 599 So.2d 812 (La. App. 1 Cir. 1992).

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DEPUTY CLERK OF COURT  
FOR THE COURT