

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

ROLAND SKINNER, JR.

NO. 2014 CW 1554

VERSUS

PATRICK RICHARD AND VIRGINIA
RICHARD ON BEHALF OF
MADELEINE RICHARD, USAA
CASUALTY INSURANCE COMPANY,
AND STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY

MAR 12 2015

In Re: Patrick Richard and Virginia Richard on behalf of
Madeleine Richard, applying for supervisory writs,
18th Judicial District Court, Parish of Iberville, No.
73648.

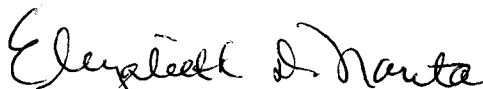
BEFORE: GUIDRY, WELCH, HIGGINBOTHAM, THERIOT AND DRAKE, JJ.

WRIT GRANTED IN PART WITH ORDER; WRIT DENIED IN PART. The district court's September 26, 2014 judgment, overruling relators' declinatory exception raising the objection of improper venue, is reversed, and judgment is hereby rendered sustaining relators' exception of improper venue. The matter is remanded with instructions that the district court transfer the above-captioned lawsuit to the 19th Judicial District Court in East Baton Rouge Parish, pursuant to La. Code Civ. P. art. 121. Pursuant to the Direct Action Statute, La. R.S. 22:1269 (B) (1) (b) & (e) and La. Code Civ. P. art. 42 (1) & (7), venue is proper for each defendant in East Baton Rouge Parish. See **Trascher v. Northrop Grumman Ship Sys., Inc.**, 2010-1287 (La. 9/17/10), 43 So.3d 961 (per curiam); See also **Green v. Auto Club Group Insurance Company**, 2008-2868 (La. 10/28/09), 24 So.3d 182. The writ application is denied insofar as the application seeks review of the district court's September 26, 2014 judgment, pertaining to relator's dilatory exception raising the objection of improper joinder of a party.

**MRT
EGD
JMG
TMH**

Welch, J., dissents and would deny the writ.

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DEPUTY CLERK OF COURT
FOR THE COURT