

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

JAMES B. NUTTER AND COMPANY

NO. 2015 CW 0241

VERSUS

BRENDA G. HAMNER, SOLELY AND
IN HER CAPACITY AS
INDEPENDENT EXECUTRIX OF THE
SUCCESSION OF HOMER JACK
STILL, JR.

FEBRUARY 19, 2015

In Re: James B. Nutter and Company, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 619319.

BEFORE: GUIDRY, PETTIGREW, THERIOT, DRAKE AND CHUTZ, JJ.

WRIT GRANTED. The oral ruling of the trial court on January 26, 2015, which granted the defendant's request for an extension of the temporary restraining order, is reversed and the temporary restraining order is dissolved for failure of the defendant to prosecute her application for a preliminary injunction when it came on for hearing. See La. Code Civ. P. art. 3606.

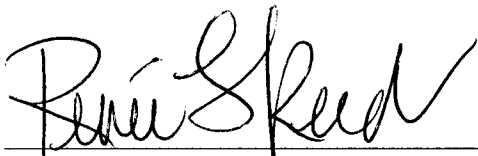
EGD
WRC

Theriot, J., concurs.

Guidry, J., dissents and would deny the writ. I would order that the hearing for the preliminary injunction be held on February 23, 2015, and, if the defendant failed to prosecute on that day, the temporary restraining order would be dissolved as of that date.

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

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DEPUTY CLERK OF COURT
FOR THE COURT