

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

WILLIAM RYAN FORTNER

NO. 2015 CW 1675

VERSUS

CHOLETTE LOFTON

NOVEMBER 9, 2015

---

In Re: Cholette Lofton, applying for supervisory writs, 21st Judicial District Court, Parish of Tangipahoa, No. 2014-0003395.

---

**BEFORE: GUIDRY, HOLDRIDGE AND CHUTZ, JJ.**

**WRIT NOT CONSIDERED.** As the party filing the writ application, relator bears the burden of establishing the timeliness of their writ application. Relator has failed to provide our Court with the documentation necessary to satisfy that burden. Rules 4-2 and 4-3, Uniform Rules of Louisiana Courts of Appeal, require that the notice of intent be filed within 30 days of the date of notice, as provided in La. Code Civ. P. art. 1914. By failing to provide this Court with a hard copy of a timely file-stamped copy of the notice of intent, the Court is unable to determine whether the notice was timely filed. Moreover, relator has failed to provide the Court with a pertinent minute entry and/or the transcript from the October 20, 2015 hearing. Thus, relators have failed to provide our Court with the documents necessary to ascertain the Article 1914 date of notice.

The failure to provide a copy of the pertinent court minutes is a violation of Rule 4-5(C)(10), Uniform Rules of Louisiana Courts of Appeal.

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

In the event relator seeks to file a new application with this Court, it must contain all pertinent documentation, including documentation to show the original writ application was timely filed, and it must comply with Rule 2-12.2, Uniform Rules of Louisiana Courts of Appeal. Any new application must be filed on or before November 23, 2015 and must contain a copy of this ruling.

**JMG**  
**GH**  
**WRC**

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT  
FOR THE COURT