

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

EMILY CATHERINE CLARKE BOLEN

NO. 2016 CW 0949

VERSUS

DOUGLAS ANDREW CLARKE

**OCT 31 2016**

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In Re: Cynthia D. Samuel, applying for supervisory writs,  
22nd Judicial District Court, Parish of St. Tammany,  
No. 2012-13474.

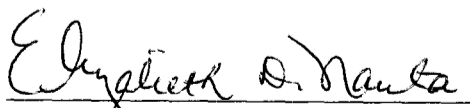
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**BEFORE: PETTIGREW, McDONALD AND DRAKE, JJ.**

**WRIT GRANTED IN PART; WRIT DENIED IN PART.** The trial court erred in failing to include decretal language in its judgment maintaining Cynthia D. Samuel's dilatory exception of lack of procedural capacity and her peremptory exception of no right of action, and we cannot conclude whether the trial court considered whether to give her the opportunity to amend her petition to remove the grounds of the objections if she can. Accordingly, we grant the writ in this regard only. We remand this matter to the trial court for entry of appropriate decretal language in connection with its rulings, either dismissing Christine Remy's motion for sanctions and supplemental motion for sanctions with prejudice or giving her the opportunity to amend her petition to remove the grounds of the objections if she can. See La. C.C.P. arts. 933(B) & 934. We deny the writ in all other respects.

**JTP  
JMM  
EGD**

COURT OF APPEAL, FIRST CIRCUIT

  
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DEPUTY CLERK OF COURT  
FOR THE COURT