

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

CHASITY SUMMER MAY,
INDIVIDUALLY AND ON BEHALF
OF HER MINOR CHILD,
CHRISTOPHER SETH DENISON

NO. 2018 CW 1103

VERSUS

BOND-WROTEN EYE CLINIC, INC.

DEC 10 2018

In Re: Bond-Wroten Eye Clinic, Inc., applying for supervisory writs, 21st Judicial District Court, Parish of Tangipahoa, No. 2013-000318.


BEFORE: McDONALD, CRAIN, AND HOLDRIDGE, JJ.

WRIT DENIED.

JMM
WJC

Holdridge, J., concurs and notes the trial court did not follow the procedure set forth in La. Code Civ. P. art. 561 when it set this matter for a contradictory hearing instead of entering a formal order of dismissal as mandated by the article. La. Code Civ. P. art. 561 states that the court shall enter the *ex parte* order of dismissal if all the requirements are met, and then the opposing party has thirty days to file a motion to set aside the dismissal. The proper procedure set forth in La. Code Civ. P. art. 561 was not followed in this case.

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT