

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

MARK ODOM AND PATTI ODOM

NO. 2019 CW 0397

VERSUS

LUIS ALBERTO FLORES, STATE
FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, UNITED
SERVICES AUTOMOBILE
ASSOCIATION

JUL 02 2019

In Re: United Services Automobile Association, applying for
supervisory writs, 21st Judicial District Court,
Parish of Livingston, No. 153594.

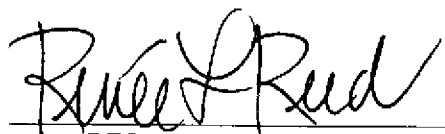
BEFORE: CRAIN, THERIOT, AND HOLDRIDGE, JJ.

WRIT GRANTED. The trial court's March 11, 2019 order which denied the motion to exclude medical records of Dr. John Bolter filed by defendant, United Services Automobile Association, is reversed. La. R.S. 13:3714 provides for admission of the records of health care providers, provided that the party against whom the medical narrative, chart, or record is sought to be used may summon and examine those making the original of such records as witnesses under cross-examination. The trial court has excluded Dr. John Bolter as a witness, and accordingly, Dr. Bolter will be unavailable to be summoned by defendant for cross-examination. The motion to exclude the medical records of Dr. John Bolter is granted, excluding the introduction of these records into evidence at the trial.

WJC
MRT

Holdridge, J., concurs.

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DEPUTY CLERK OF COURT
FOR THE COURT