

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

WHOLESALE AUTO GROUP, INC.

NO. 2019 CW 0747

VERSUS

THE LOUISIANA MOTOR VEHICLE  
COMMISSION AND THE LOUISIANA  
USED MOTOR VEHICLE COMMISSION

**OCT 28 2019**

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In Re: Louisiana Motor Vehicle Commission, applying for  
supervisory writs, 19th Judicial District Court,  
Parish of East Baton Rouge, No. 678659.

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**BEFORE: WHIPPLE, C.J., McDONALD, McCLENDON, THERIOT, AND  
CHUTZ, JJ.**

**WRIT GRANTED.** The trial court's May 24, 2019 judgment denying the defendant's, Louisiana Motor Vehicle Commission's, Exception of Improper Venue and Exception of Improper Joinder of Parties/Improper Cumulation of Actions, is hereby reversed. We find that La. R.S. 32:1253(H) dictates Jefferson Parish as the mandatory venue for the Louisiana Motor Vehicle Commission and that the ancillary venue doctrine as articulated in **Underwood v. Lane Memorial Hosp.**, 97-1997 (La. 7/8/98), 714 So.2d 715, and **Black v. St. Tammany Parish Hosp.**, 2008-2670 (La. 11/6/09), 25 So.3d 711, is not applicable to the present case because La. R.S. 32:1253(H) provides Jefferson Parish as the mandatory venue for the Louisiana Motor Vehicle Commission and La. R.S. 32:783 provides East Baton Rouge Parish as the mandatory venue for the Louisiana Used Motor Vehicle Commission. Under La. Code Civ. P. art. 464, the action against the Louisiana Motor Vehicle Commission is dismissed because it was improperly joined to the plaintiff's, Wholesale Auto Group's, action against the Louisiana Used Motor Vehicle Commission.

VGW  
JMM  
PMc  
MRT

**Chutz, J.**, dissents and would deny the writ.

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FOR THE COURT