

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

CLIFTON THOMASSIE, III,
CHRISTOPHER THOMASSIE, FRAN
THOMASSIE, AND NICOLE
THOMASSIE, INDIVIDUALLY AND
ON BEHALF OF THEIR FATHER,
CLIFTON THOMASSIE, JR.

NO. 2019 CW 0806

VERSUS

TONYA JAGNEAUX, M.D., STATE
OF LOUISIANA THROUGH THE LSU
HEALTH SYSTEM AND BATON
ROUGE GENERAL MEDICAL CENTER

NOV 12 2019

In Re: Baton Rouge General Medical Center, applying for
supervisory writs, 19th Judicial District Court,
Parish of East Baton Rouge, No. 624421.

BEFORE: WHIPPLE, C.J., GUIDRY AND CRAIN, JJ.

WRIT DENIED. The criteria set forth in **Herlitz Construction Company, Inc. v. Hotel Investors of New Iberia, Inc.**, 396 So.2d 878 (La. 1981) (*per curiam*), are not met.

VGW
JMG

Crain, J., dissents and would remand this matter to the trial court for a ruling on the Motion for Partial Summary Judgment filed on behalf of Baton Rouge General Medical Center.

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DEPUTY CLERK OF COURT
FOR THE COURT