

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

LASHAVA ERVIN AND WAYNE  
CARTER

NO. 2019 CW 1683

VERSUS

CAROL WILLIAMS, SUPERIOR  
TRANSPORTATION SERVICES,  
LLC; ATLAS FINANCIAL  
HOLDINGS, INC., AND GATEWAY  
INSURANCE COMPANY

MAY 12 2020

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In Re: Carol Williams, Superior Transportation Services, LLC, Atlas Financial Holdings, Inc., and Gateway Insurance Company, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 682625.

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**BEFORE: McCLENDON, WELCH, AND HOLDRIDGE, JJ.**

**WRIT DENIED.**

**PMc**

**Holdridge, J.**, concurs and would deny the writ on the showing made as no evidence was introduced at the hearing on the relators' motion to transfer for forum non conveniens. This action does not preclude the relators from filing and the court from considering an additional motion where, at the hearing, proper evidence is introduced in support of the motion.

**Welch, J.**, dissents. Under Louisiana Code of Civil Procedure Article 123, for the convenience of the parties and the witnesses and in the interest of justice, a court may, upon contradictory motion, transfer a civil case to another district court where it might have been brought. The convenience of the parties and witnesses and the interest of justice would be better served by transferring this case to Lincoln Parish. **Holland v. Lincoln General Hosp.**, 2010-0038 (La. 10/19/10), 48 So.3d 1050, 1055-57. Accordingly, I would grant the relators' motion to transfer for forum non conveniens and remand to the trial court for transfer of the case to the Third Judicial District Court for Lincoln Parish.

COURT OF APPEAL, FIRST CIRCUIT



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DEPUTY CLERK OF COURT  
FOR THE COURT