

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

RUDOLPH DEMPSEY, JR.,
ELIZABETH DEMPSEY GOODLOW,
AND MILLIE HAMILTON HARRIS

NO. 2020 CW 0961

VERSUS

AMOS HAMILTON, JR.

OCTOBER 21, 2020

In Re: Amos Hamilton, applying for supervisory writs, 23rd
Judicial District Court, Parish of Ascension, No.
96334.

BEFORE: WHIPPLE, C.J., WELCH AND CHUTZ, JJ.

WRIT GRANTED. REQUEST FOR STAY DENIED AS MOOT. The furnishing of bond or security is a necessary step in the process of suspensive appeal, and certain definite requirements apply to appeal bonds. **Guilliot v. City of Kenner**, 326 So.2d 359, 362 (La. 1976). Louisiana Code of Civil Procedure article 2124(E) sets forth the substantive requirements of a suspensive appeal bond, as do Articles 5121 and 5122. We find Amos Hamilton complied with these requirements and the district court erred in setting aside his appeal bond. Therefore, we grant this writ application, reverse the district court's September 9, 2020 judgment setting aside Mr. Hamilton's suspensive appeal bond and deny plaintiffs', Rudolph Dempsey, Jr., Elizabeth Dempsey Goodlow, and Millie Hamilton Harris, motion testing the sufficiency and validity of bond.

VGW
JEW
WRC

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DEPUTY CLERK OF COURT
FOR THE COURT