

DANATUS NORMAN KING

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NO. 2001-CA-1735

VERSUS

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COURT OF APPEAL

**PHELPS DUNBAR, L.L. P., ET
AL.**

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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JONES, J. DISSENTS WITH REASONS

I respectfully dissent and depart from the majority in finding that there was no error by the district court in granting summary judgment in favor of the defendants, Phelps Dunbar, L.L.P. In King v. Phelps Dunbar L.L.P., 98-1805 (La. 6/4/99), 743 So.2d 181, the Supreme Court vacated in part and remanded this case for trial on the merits. To date, Mr. King has not been afforded his day in court as ruled by the Supreme Court.

I am of the opinion that the lower courts must follow all Louisiana Supreme Court judgments. Therefore, the district court was in error for granting the summary judgment, and the majority is in error in affirming the district court. Mr. King has not been afforded the opportunity to present his case in a full trial on the merits. Therefore, I must respectfully dissent.