

**PAULA PARKER, PAULINE
REESE COLLINS, AHMAD
PARKER**

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NO. 2002-CA-2475

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COURT OF APPEAL

VERSUS

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FOURTH CIRCUIT

**THE CHIMNEYWOOD
HOMEOWNERS'
ASSOCIATION, INC.;;
OFFICERS OF THE BOARD
OF DIRECTORS OF
CHIMNEYWOOD
HOMEOWNERS'
ASSOCIATION, INC.;;
LYNETTE BATES,
PRESIDENT (INDIVIDUAL
AND OFFICIAL CAPACITIES);
ET AL.**

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STATE OF LOUISIANA

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ARMSTRONG, C. J. CONCURS IN PART AND DISSENTS IN PART.

Because I feel that this Court is able to rule without the necessity of a show cause briefing, I respectfully dissent from only that portion of the majority opinion ordering Attorney Kathy Moore to show cause by brief only why she should not be held in contempt for allegations contained in her brief in contravention of Uniform Rules—Courts of Appeal, Rule 2-12.4. I subscribe to the view of the importance of civility and professional conduct expressed by this Court in *Galle v. Orleans Parish School Bd.*, 623 So.2d 692 (La.App. 4 Cir.1993) and find that the brief written by Ms. Moore falls far short of the standards set forth in *Galle*. However, under the

circumstances, consistent with the ruling in *Galle*, and well as similar rulings in *Savoie-Moore v. Moore*, 98-0235 (La.App. 4 Cir. 9/16/98), 719 So.2d 551, *Drury v. Fawer*, 590 So.2d 808 (La.App. 4 Cir.1991), and *Turner v. Conagra Poultry Co.*, 02-1424 (La.App. 3 Cir. 4/2/03), 842 So.2d 1184, I believe that the appropriate sanction in this case is an admonishment at present to be followed by monetary sanctions in the future should a recurrence be called to the attention of this Court.

For the foregoing reasons, I respectfully dissent from only that portion of the majority opinion pertaining to remarks made in the brief written by Ms. Kathy Moore. I concur in the results reached by the balance of the majority opinion.