

**MOSES AARON SAULSBERRY**

\*

**NO. 2003-CA-1785**

**VERSUS**

\*

**COURT OF APPEAL**

**PAUL M. HAYGOOD**

\*

**FOURTH CIRCUIT**

\*

**STATE OF LOUISIANA**

\*

\*

\*\*\*\*\*

**JONES, J. CONCURS WITH REASONS**

The circuit courts of this State are facing a dilemma in dealing with the district's courts' granting of motions for appeal of interlocutory judgments. The judgment presented herein is an interlocutory judgment, which is not dispositive of all trial issues. As the judgment failed to dispose of all remaining issues, the district court nevertheless, granted a motion for appeal, in violation of C. C. P. art. 966(C). Failure of the circuit courts to resolve how these judgments will be handled on appeal is of the moment.

In this Court, according to the panel of judges to which your case is assigned, an interlocutory judgment similar to the case before us, may either be dismissed for lack of a certification by the district court giving an "expressed" reason for there being no just reason for delay; the matter may be converted to a supervisory writ application and resolved under our

supervisory jurisdiction; or, as occurs in this matter, the court may simply handle the matter as an appeal and render accordingly.

Because I suggest uniformity of these proceedings, and consistency with the en banc determination of this Court, I would convert the appeal herein into a supervisory writ application, and deny the Relator's writ application, as it is without merit.

Thus, for the reasons herein stated, I concur in the result.