

DALE BROWN

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NO. 2017-C-0759

VERSUS

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COURT OF APPEAL

**DAVID HEINTZ, STEVEN
VERRETT, AND ARTHUR
LAWSON, IN HIS OFFICIAL
CAPACITY AS THE CHIEF
FOR POLICE FOR THE CITY
OF GRETNA**

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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BROWN, J., CONCURS IN THE RESULT WITH REASONS.

I concur with the majority and find the district court erred in denying Relator’s peremptory exception of prescription. I write separately to express that while I am constrained to rule in accordance with current jurisprudence, I do find, however, the outcome in this case troubling as it deprives Plaintiff of his day in court. I am in agreement with current Chief Justice Johnson’s and former Chief Justice Calogero’s dissents in *Skipper v. Boothe*, 08-1292, pp. 1-2 (La. 10/3/08), 991 So.2d 462, 463-64 (dissenting Calogero, C.J., and Johnson, J.), that Louisiana should adopt the “mailbox rule” for **all** *pro se* inmate filings.