

NOT DESIGNATED FOR PUBLICATION

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

03-201

**JOYCE ACOLATSE, individually and as Guardian, Mother and Next Friend
of MICHAEL ACOLATSE (a developmentally disabled individual), DAVID
EATON, individually and GAIL PETERSON, individually**

VERSUS

**JIM EASTERWOOD, MARTIN DE PORRES NURSING HOME, INC., a
Louisiana non-profit corporation, and DEVELOPMENTAL SERVICES OF
NEBRASKA, a Nebraska non-profit corporation.**

**APPEAL FROM THE
FOURTEENTH JUDICIAL DISTRICT COURT
PARISH OF CALCASIEU, NO. 99-6898
HONORABLE DAVID PAINTER, DISTRICT JUDGE**

**NED E. DOUCET, JR.
CHIEF JUDGE**

Court composed of Ned E. Doucet, Jr., Chief Judge, Billie Colombaro Woodard,
Jimmie C. Peters, John D. Saunders, and Marc T. Amy, Judges.

AFFIRMED.

Peters, J., dissents finding that there exists genuine issues of material fact that
preclude the grant of a summary judgment.

Amy, J., concurs and assigns written reasons.

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