

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

03-1271 consolidated with 03-1178

OMSI

VERSUS

ALVIN JOE ELLIOTT

**APPEAL FROM THE
OFFICE OF WORKERS' COMPENSATION - DISTRICT # 3
PARISH OF CALCASIEU, NO. 01-02546
HONORABLE CHARLOTTE A. L. BUSHNELL,
WORKERS COMPENSATION JUDGE**

ARTHUR J. PLANCHARD

Court composed of Ulysses Gene Thibodeaux, Chief Judge, John D. Saunders, and Arthur J. Planchard*, Judges.

AFFIRMED.

**Jeffrey C. Napolitano
Keith E. Pittman
Juge, Napolitano, Guilbeau, Ruli & Frieman
3838 N. Causeway Blvd., #2500
Metairie, LA 70002
Counsel for Plaintiff/Appellant:
OMSI**

**Patricia McKay Clotiaux
Waller & Associates
3838 N. Causeway, Ste. 3160
Metairie, LA 70002
Counsel for Defendant/Appellee:
Repcon, Inc.**

*Judge Arthur J. Planchard, Retired, participated in this decision by appointment of the Louisiana Supreme Court as Judge Pro Tempore

Robert L. Beck, Jr.

**Rivers, Beck, Dalrymple & Ledet
P. O. Drawer 12850
Alexandria, LA 71315-2850
Counsel for Claimant/Appellee:
Alvin Joe Elliott, et al.**

**Jeffrey Martin Cole
Plauche, Smith & Nieset
P.O. Drawer 1705
Lake Charles, LA 70602
Counsel for Defendant/Appellee:
Wyatt Field Service**

PLANCHARD, Judge¹.

For the reasons set forth in the companion case hereto, *OMSI v. Alvin Joe Elliott*, 03-1178 (La.App. 3 Cir. 03/__/04), ___ So.2d ___, the judgment of the trial court is affirmed. All costs of this appeal are assessed against Plaintiff/Appellant, OMSI.

AFFIRMED.

¹ Judge Arthur J. Planchard, Retired, participated in this decision by appointment of the Louisiana Supreme Court as Judge Pro Tempore.