## NOT DESIGNATED FOR PUBLICATION

## STATE OF LOUISIANA COURT OF APPEAL, THIRD CIRCUIT

CM 05-244

WESTERN AMERICAN SPECIALIZED TRANSPORTATION SERVICES, INC.

**VERSUS** 

ROBERT LIGON, NANCY LIGON, STEVE LIGON AND TRUCK-IT, INC.

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## APPEAL FROM THE FIFTEENTH JUDICIAL DISTRICT COURT, PARISH OF LAFAYETTE, NO. 965009-K HONORABLE PATRICK L. MICHOT, DISTRICT JUDGE

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## ELIZABETH A. PICKETT JUDGE

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Court composed of John D. Saunders, Marc T. Amy, and Elizabeth A. Pickett, Judges.

**AMY**, **J**., dissents and would remand the matter to the trial court for consideration of the motion to dismiss.

APPEAL DISMISSED.

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