

NOT FOR PUBLICATION

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

05-368

JAMES D. NAILS, ET AL

VERSUS

**NICKOLOS D. HUMPHRIES AND STATE FARM
MUTUAL AUTOMOBILE INSURANCE COMPANY**

APPEAL FROM THE
FIFTEENTH JUDICIAL DISTRICT COURT
PARISH OF LAFAYETTE, DOCKET NO. 20025283
HONORABLE KRISTIAN EARLES, DISTRICT JUDGE

**SYLVIA R. COOKS
JUDGE**

Court composed of Sylvia R. Cooks, John D. Saunders, Oswald A. Decuir, Marc T. Amy, and J. David Painter, Judges.

Amy, J., dissents and assigns written reasons.

AFFIRMED AS AMENDED.

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