

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT
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REHEARING ACTION: July 20, 2016

Docket Number: 16 00128-CW

**JOHN W. KIRKLIN, ET AL.
VERSUS
CITY OF ALEXANDRIA, ET AL.**

Writ Application from Rapides Parish Case No. 229,258

BEFORE JUDGES:

**Hon. Sylvia R. Cooks
Hon. Elizabeth A. Pickett
Hon. Billy Howard Ezell
Hon. Phyllis M. Keaty
Hon. John E. Conery**

As counsel of record in the captioned case, you are hereby notified that the application for rehearing filed by **John W. Kirklin** is:

**MOTION FOR REHEARING GRANTED.
WRIT GRANTED AND MADE PEREMPTORY.
JUDGMENT OF DISMISSAL REINSTATED.**

Cooks, J. concurs in the granting of the application for rehearing and in the grant of the writ application; and dissents from the reinstatement of the judgment of dismissal. I would remand the case in the interest of justice to allow plaintiff to present evidence of his mental status during the relevant time period and for further proceedings following all parties' relevant submissions.

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cc: H. Bradford Calvit, Counsel for the Applicant
Eli J. Meaux, Counsel for the Applicant
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