

NOT DESIGNATED FOR PUBLICATION

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

CA 17-634

3RD DISTRICT HIGHWAY FEDERAL CREDIT UNION

VERSUS

MARANDA M. AND JOE J. PILLSBURY

**APPEAL FROM THE
LAFAYETTE CITY COURT
PARISH OF LAFAYETTE CITY COURT, NO. 2016CV4061
HONORABLE FRANCES MORAN BOUILLION, CITY COURT JUDGE**

**JOHN E. CONERY
JUDGE**

Court composed of Ulysses Gene Thibodeaux, Chief Judge, Billy Howard Ezell, and John E. Conery, Judges.

**APPEAL DISMISSED WITHOUT PREJUDICE, CASE REMANDED
TO THE TRIAL COURT.**

**Daniel M. Landry, III
Christian B. Landry
The Landry Law Firm
Post Office Box 3784
Lafayette, Louisiana 70502
(337) 237-7135**

**COUNSEL FOR PLAINTIFF/APPELLANT:
33rd District Highway Federal Credit Union**

**Maranda M. and Joe J. Pillsbury
110 Bacon Lane
Carencro, Louisiana 70520
(337) 654-9759
(337) 654-9718**

**IN PROPER PERSON AS DEFENDANTS/APPELLEES:
Maranda M. and Joe J. Pillsbury**

CONERY, Judge.

The 3rd District Highway Federal Credit Union (Credit Union) filed an appeal seeking to reverse a portion of the trial court's May 17, 2017 judgment, which awarded the defendants, Maranda M. and Joe J. Pillsbury (Pillsburys), damages in the amount of \$1,060.00, to be offset from the amount awarded to the Credit Union. The Credit Union filed a motion for new trial on May 25, 2017, which was denied by the trial court on the basis that the case had settled.

Based on the appeal filed by the Credit Union, it appears that the trial court was mistaken in denying the Credit Union's motion for new trial on the basis of a settlement between the parties. We therefore remand this case to the trial court in order for it to rule on the Credit Union's motion for new trial.

In the interest of judicial economy, within thirty (30) days of this ruling, and **by stipulation of all counsel**, the record may remain lodged in this court and the final judgment on remand may be added to supplement this record, with the matter then being docketed for final disposition by this panel.

APPEAL DISMISSED WITHOUT PREJUDICE, CASE REMANDED TO THE TRIAL COURT.

This opinion is NOT DESIGNATED FOR PUBLICATION. Uniform Rules—Courts of Appeal, Rule 2-16.3.