

The Supreme Court of the State of Louisiana

DAVID G. MILLAUD

No.2020-C-00867

VS.

ELLEN A. MOORE

IN RE: David G. Millaud - Applicant Defendant; Applying For Writ Of Certiorari, Parish of Orleans Civil, Orleans Civil District Court Number(s) 2016-01391, Court of Appeal, Fourth Circuit, Number(s) 2019-CA-1047;

October 14, 2020

Writ application granted. See per curiam.

WJC

BJJ

JLW

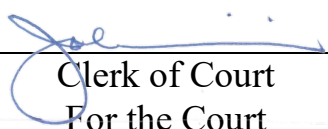
SJC

JTG

JHB

Hughes, J., additionally concurs and assigns reasons.

Supreme Court of Louisiana
October 14, 2020


Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

NO. 2020-C-0867

DAVID G. MILLAUD

VERSUS

ELLEN A. MOORE

**APPLYING FOR SUPERVISORY WRIT TO
THE FOURTH CIRCUIT COURT OF APPEAL**

PER CURIAM*

WRIT GRANTED. This real action is governed by the law applicable to possessory and petitory actions. *See* La. Code Civ. Pro. arts. 3651-3671. The matter is remanded to the court of appeal for application of that law to determine the issues presented by the motion for summary judgment, including which party has the burden of proving ownership. *See* La. Code Civ. Pro. arts. 3657 and 3653.

* Retired Judge James Boddie Jr., appointed Justice *pro tempore*, sitting for the vacancy in Louisiana Supreme Court District 4.