

The Supreme Court of the State of Louisiana

C. L. BRYANT, ET AL.

No. 2022-CC-01321

VS.

XTO ENERGY, INC., ET AL.

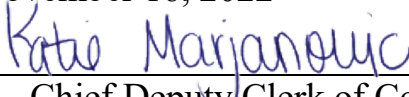
IN RE: Elm Springs, Inc. - Applicant Defendant; Applying For Supervisory Writ,
Parish of Desoto, 42nd Judicial District Court Number(s) 79,549, Court of Appeal,
Second Circuit, Number(s) 54,806-CW;

November 16, 2022

Writ application granted. See per curiam.

JLW
JDH
SJC
JTG
WJC
JBM
PDG

Supreme Court of Louisiana
November 16, 2022



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

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On Supervisory Writ to the 42nd Judicial District Court, Parish of Desoto

PER CURIAM

Because the district court contemplated a written judgment, relator's notice of intent, which was filed after the oral ruling but prior to the signing of the written judgments, was premature. *See Kosmitis v. Bailey*, 96-1573 (La. 10/4/96), 680 So.2d 1167. However, any defect was cured when the district court signed the written judgments and set a return date. Relator's application, which was already pending in the court of appeal, is therefore timely.

Accordingly, the writ is granted, and the case is remanded to the court of appeal for consideration of relator's application on the merits.