

The Supreme Court of the State of Louisiana

SHALMON STENNIS

No. 2023-CC-00514

VS.

LOWE'S HOMES CENTERS, LLC D/B/
A LOWE'S AND RD S. MORRIS

IN RE: Lowe's Home Center, LLC - Applicant Defendant; Applying For
Supervisory Writ, Parish of Orleans Civil, Orleans Civil District Court Number(s)
2020-10769, Court of Appeal, Fourth Circuit, Number(s) 2023-C-0208;

May 02, 2023

Writ application granted. See per curiam.

JLW

SJC

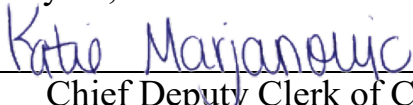
WJC

PDG

Hughes, J., dissents for the reasons assigned by McCallum, J.
Genovese, J., dissents for the reasons assigned by McCallum, J.
McCallum, J., dissents and assigns reasons.

Supreme Court of Louisiana

May 02, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2023-CC-00514

SHALMON STENNIS

VS.

LOWE'S HOMES CENTERS, LLC D/B/A LOWE'S AND RD S. MORRIS

On Supervisory Writ to the Orleans Civil District Court, Parish of Orleans Civil

PER CURIAM

Granted. The court of appeal erred by reversing the trial court's denial of plaintiff's motion in limine. Under the unique circumstances of this case, the evidence relates to a material fact in dispute and, potentially, to defendant's legal theory, as opposed to solely being offered as character evidence to show a propensity for committing violence. The trial court should consider the evidence at trial and the purpose for which it is offered then determine its admissibility after performing the balancing test of Louisiana Code of Evidence article 403.