

The Supreme Court of the State of Louisiana

SYDNEY PETITE

No. 2024-C-00010

VS.

JOHN L. HINDS, III

IN RE: John L. Hinds, III - Applicant Defendant; Applying For Writ Of Certiorari, Parish of Orleans Civil, Orleans Civil District Court Number(s) 2021-05327, Court of Appeal, Fourth Circuit, Number(s) 2023-CA-0262;

March 12, 2024

Writ application granted. See per curiam.

JDH
SJC
JTG
PDG

Weimer, C.J., would grant and docket and assigns reasons.
Crain, J., dissents and would deny.
McCallum, J., concurs in part and dissents in part and assigns reasons.

Supreme Court of Louisiana
March 12, 2024



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2024-C-00010

SYDNEY PETITE

VS.

JOHN L. HINDS, III

*On Writ of Certiorari to the Court of Appeal, Fourth Circuit,
Parish of Orleans Civil*

PER CURIAM

Granted. For the reasons set forth by Judge Belsome in his dissent, we find that the lower courts erred in finding that plaintiff met her burden of proving the allegations of abuse by a preponderance of the evidence. *See Ferrand v. Ferrand*, 16-7, p. 47 (La. App. 5 Cir. 8/31/16), 221 So.3d 909, 943, *writ denied*, 16-1903 (La. 12/16/16), 211 So.3d 1164 (under the Domestic Abuse Assistance Act, “a petitioner has the burden of proving the allegations of abuse by a preponderance of the evidence.”). The Order of Protection is hereby vacated.