

The Supreme Court of the State of Louisiana

MONA LEBLANC

No. 2024-C-01212

VS.

WALMART STORES, INC. AND CLAIMS
MANAGEMENT, INC.

IN RE: Walmart Stores, Inc. - Applicant Defendant; Walmart Stores, Inc. a/k/a
Walmart - Applicant Defendant; Applying For Writ Of Certiorari, Office of
Workers' Compensation, District 4 Number(s) 10-11529 c/w 13-05970, Court of
Appeal, Third Circuit, Number(s) 23-725 c/w 23-724;

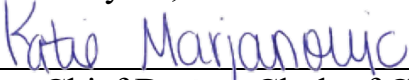
February 05, 2025

Writ application granted. See per curiam.

JBM
JDH
JTK
PDG
JMG

Weimer, C.J., dissents and would grant and docket.
Crain, J., dissents and assigns reasons.

Supreme Court of Louisiana
February 05, 2025



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2024-C-01212

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VS.

WALMART STORES, INC. AND CLAIMS MANAGEMENT, INC.

On Writ of Certiorari to the Court of Appeal, Third Circuit, Office of Workers'
Compensation, District 4

PER CURIAM

Granted. The court of appeal did not err in finding the ruling of the Office of Workers' Compensation which excluded claimant's testimony was a consequential error which interdicted the fact-finding process. However, because claimant's testimony will require a determination of her credibility, the court of appeal erred in reviewing the record on a de novo basis rather than remanding for a new trial. See *Landry v. Bellanger*, 2002-1443 (La. 5/20/03), 851 So. 2d 943, 954 (“[w]here a view of the witnesses is essential to a fair resolution of conflicting evidence, the case should be remanded for a new trial.”).

Accordingly, the judgment of the court of appeal is vacated and set aside. The case is remanded to the Office of Workers' Compensation for a new trial.