

The Supreme Court of the State of Louisiana

CODY HAMILTON AND DEVIN LEWIS
HAMILTON

No. 2024-CC-00171

VS.

SAFEGUARD CAPITAL FUND, L.P.,
SAFEGUARD SELF STORAGE, INC.,
SAFEGUARD DEVELOPMENT GROUP,
LLC, SAFEGUARD DEVELOPMENT I, LLC,
SAFEGUARD EQUITY GROUP, LLC,
SAFEGUARD STORAGE PROPERTIES, LLC,
AND SAFEGUARD OPERATIONS, LLC, ABC
INSURANCE COMPANY, AND XYZ
INSURANCE COMPANY

IN RE: The State of Louisiana, through the Department of Public Safety and
Corrections and Office of the State Fire Marshall - Applicant Defendant; Applying
For Writ Of Certiorari, Parish of East Baton Rouge, 19th Judicial District Court
Number(s) 681837, Court of Appeal, First Circuit, Number(s) 2023 CW 0814;

April 09, 2024

Writ application granted - see briefing notice and Order.

WJC
JLW
JDH
SJC
JTG
JBM
PDG

Supreme Court of Louisiana
April 09, 2024



Chief Deputy Clerk of Court
For the Court



Supreme Court
STATE OF LOUISIANA
New Orleans

CHIEF JUSTICE
JOHN L. WEIMER
JUSTICES
WILLIAM J. CRAIN
SCOTT J. CRICHTON
JAMES T. GENOVESE
JAY B. MCCALLUM
JEFFERSON HUGHES
PIPER D. GRIFFIN

Sixth District
First District
Second District
Third District
Fourth District
Fifth District
Seventh District

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April 09, 2024

2024-CC-00171

CODY HAMILTON, ET AL. VS. SAFEGUARD
CAPITAL FUND, L.P., ET AL.

NOTE: FOR BRIEFING PURPOSES WRIT GRANTED April 09, 2024

MEMORANDUM TO COUNSEL IN CAPTIONED CASE:

Please be advised that the above-captioned matter will be set for oral argument on this Court's next available docket. A copy of the official docket with the specific date and time of oral argument will be mailed out.

Please note Section 8 of Rule VII of the Rules of this Court provides that the applicant or relator, as the case may be, must file their briefs on or before May 6, 2024; and the respondent on or before May 24, 2024.

Oral argument will be waived if brief is untimely filed. Briefs submitted on legal sized paper should be fastened at the top. All briefs should be backed with the customary "Blueback" or other flexible material. In criminal proceedings, the court directs that counsel must file a brief. Failure to do so may subject counsel to a penalty of contempt of Court.

It is further provided in Rule VII, Section 9 that briefs sent through the mail shall be deemed timely filed if mailed on or before the due date. If the brief is received by mail on the first legal day following the expiration of the delay, there shall be a rebuttable presumption that it was timely filed. In all cases where the presumption does not apply, the timeliness of the mailing shall be shown only by an official United States postmark or by official receipt or certificate from the United States Postal Service, or bona fide commercial mail services such as Federal Express or United Parcel Service, made at the time of mailing which indicates the date thereof. Any other date stamp, such as a private commercial mail meter stamp, or label from an Automated Postal Center, shall not be used to establish timeliness.

Briefs forwarded by private delivery or courier service shall be deemed timely filed only if received by the clerk on or before the last day of the delay for filing.

Regards,

Ryan Chan
Deputy Clerk

RC: RC

ccs: All Counsel

Hon. Wilson Fields

Hon. J. Douglas "Doug" Welborn

Hon. Rodd Naquin, Clerk

19th Judicial District Court: 681837 - Div:O

Court of Appeal, First Circuit: 2023 CW 0814

SUPREME COURT OF LOUISIANA

No. 2024-CC-00171

CODY HAMILTON AND DEVIN LEWIS HAMILTON

VERSUS

SAFEGUARD CAPITAL FUND, L.P., SAFEGUARD SELF STORAGE, INC., SAFEGUARD DEVELOPMENT GROUP, LLC, SAFEGUARD DEVELOPMENT I, LLC, SAFEGUARD EQUITY GROUP, LLC, SAFEGUARD STORAGE PROPERTIES, LLC, AND SAFEGUARD OPERATION, LLC, ABC INSURANCE COMPANY, AND XYZ INSURANCE COMPANY

On Writ of Certiorari and/or Review
Nineteenth Judicial District Court, Parish of East Baton Rouge, No. 681837,
Court of Appeal, First Circuit, No. 2023 CW 0814.

And, whereas, the Court has this date, pursuant to Article 5, Section 5, of the Constitution of Louisiana, made and issued the following order, to wit— “It is ordered that the writ of review issue; that the District Court and the Court of Appeal send up the record in Duplicate of the case; and that counsel for all parties be notified.”

Now, therefore, the said District Court and the Court of Appeal is hereby commanded, in the name of the State of Louisiana and of this Honorable Court, to send up forthwith to this Court, in accordance with Supreme Court Rule 1, at the City of New Orleans, the record in duplicate of the above-entitled case.

Witness the Honorable Justices of the
Supreme Court of the State of Louisiana, on
this 9th day of April, in the year of our Lord,
Two Thousand Twenty-Four.

Veronica O. Koclanes
Clerk of Court

Deputy Clerk of Court