

NOTICE OF FIXING CASE FOR TRIAL

BROUSSARD, BILLY

Versus

GIROUARD, MENDY - ET AL



Case: 092077
Division: C
16th Judicial District Court
Parish of St. Martin
State of Louisiana

TO:

BILLY BROUSSARD
1307 S. MAIN
BREAUX BRIDGE, LA 70517

ERIC T. HAIK
ATTORNEY AT LAW
P. O. BOX 11040
NEW IBERIA, LA 70562

JUDGE VINCENT BORNE
16TH J.D.C. JUDGE
500 MAIN ST., 6TH FLOOR
FRANKLIN, LA 70538

JUDGE WALTER LANIER, III
COURT OF APPEAL, FIRST CIRCUIT
400 ROYAL STREET, STE. 1190
NEW ORLEANS, LA 70130-8101

NOTICE IS HEREBY GIVEN that the above captioned and numbered matter has been set for trial on the **MOTION TO RECUSE JUDGE VINCENT BORNE-FILED BY BILLY BROUSSARD** on **MARCH 28, 2023**, at 10:00 o'clock A.M. at the Courthouse, 415 S. Main St., St. Martinville Louisiana, before Judge **WALTER I. LANIER, III** as a **SPECIAL** fixing.

Uniform Rules requires that you file for all exceptions, motions and a pre-trial memorandum at least fifteen (15) calendar days before the hearing. Opposition memorandums shall be filed at least eight (8) calendar days before the hearing. Any reply memorandums must be received by Judge and all parties before 4:00 p.m. on a day that allows one (1) full work day before the hearing.

All motions for summary judgment must comply with CCP Article 966-B.

Failure to file and distribute the memorandum outlined shall subject said party to the assessment of costs by the Court or to be otherwise disciplined.

Rule 8.3 requires the attorney for Plaintiff to notify the Docket Clerk and the Trial Judge when a case that is fixed for trial is settled or continued by mutual agreement.

ST. MARTINVILLE, LOUISIANA, this 22ND day of MARCH, 2023.

BECKY P. PATIN
Clerk of Court
St. Martin Parish

BY: *Joni L. Sheriot*
Deputy Clerk of Court

From: Leisa Desselle
Sent: Friday, March 17, 2023 1:40 PM
To: 'WLANIER@LA-FCCA.ORG'
Cc: 'lpitman@16jdc.org'; 'amoore@16jdc.org'; 'beckypatin@stmartinparishclerkofcourt.com'
Subject: Judge Walter Lanier Motion to Recuse Judge Vincent Borne in No. 92077 Broussard v Girouard and Dubroc 16th St. Martin
Attachments: 230317 Lanier Walter Mot to Rec Judge Vincent Borne in No. 92077 Broussard v Girouard and Dubroc 16th St. Martin.pdf

FILE



MEMORANDUM

Date: March 17, 2023
To: Judge Walter I. Lanier, III
Court of Appeal, First Circuit
From: Judicial Administrator's Office of Louisiana Supreme Court
400 Royal Street, Suite 1190, New Orleans, LA 70130-8101

Attached is an Order from the Supreme Court of Louisiana, dated March 17, 2023, assigning you as judge *ad hoc* of the Court, Division, and Parish or Parishes named therein for the purpose of hearing and disposing of the Motion to Recuse in the matter related to the case or cases named therein, subject to the completion of any unfinished business.

Please contact Catheryn Babin (504) 310-2614 with any questions pertaining to this assignment or Leisa Desselle (504) 310-2613 with any questions pertaining to this correspondence.

Thank you for your willingness to acceptance this assignment.

Attachment: (1) Order from the Supreme Court of Louisiana
cc: Chief Judge (jurisdiction of assignment)
Clerk of Court & Judicial Administrator (jurisdiction of assignment)
Clerk of Court & Judicial Administrator (originating jurisdiction of case)

*The information contained in this e-mail transmittal, including any attached document(s), is **confidential**. The information is intended only for the use of recipients noted. If you received this email in error, you are hereby notified that any use, disclosure, copying, or distribution of the contents hereof is strictly prohibited.*

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2023 MAR 22 AM 9:43

Jonis Leis
DEPUTY CLERK OF COURT
ST. MARTIN PARISH

FILE

SUPREME COURT OF LOUISIANA

ORDER

Acting under the authority of Article V, Section 5(A), Constitution of 1974, and the inherent power of this Court, and considering the request of Chief Judge Lewis H. Pittman, Jr. to assign a judge ad hoc to hear and dispose of the Motion to Recuse Judge Vincent J. Borne in the below mentioned matter on the docket of the Sixteenth Judicial District Court, and further considering the willingness of Judge Walter I. Lanier, III to accept said assignment,

IT IS ORDERED THAT:

Judge Walter I. Lanier, III, Court of Appeal, First Circuit, be and he is hereby assigned as judge ad hoc of the Sixteenth Judicial District Court, Parishes of Iberia, St. Martin and St. Mary, for the purpose of hearing and disposing of the Motion to Recuse Judge Vincent J. Borne in the matter entitled "Billy Broussard vs. Mendy Girouard and Melissa Dubroc" No. 92077 on the docket of said court, subject to the completion of any unfinished business.

This Order shall not deprive the judges of the Sixteenth Judicial District Court, Parishes of Iberia, St. Martin and St. Mary, of their offices as judges of the Sixteenth Judicial District Court, Parishes of Iberia, St. Martin and St. Mary, or of any other courts to which they may have been assigned by previous order of this Court, nor shall it deprive Judge Walter I. Lanier, III of his office as judge of the Court of Appeal, First Circuit, or of any other court to which he may have been assigned by previous order of this Court.

The Court or Judge requesting ad hoc or pro tempore assistance shall have the duty and obligation to provide the requisite courtroom and office space, legal support personnel (if necessary), court reporting and secretarial personnel, and related equipment to enable ad hoc or pro tempore Judges to fulfill their obligations.

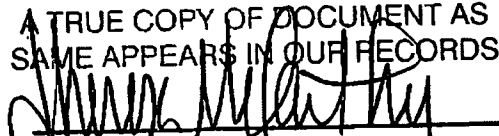
The judge assigned to sit ad hoc or pro tempore hereunder in any district, juvenile, parish, city, municipal, or traffic court shall be subject to Supreme Court General Administrative Rule, Part G, Section 2, "Cases Under Advisement", with respect to deciding matters timely and reporting to this Court's Judicial Administrator.

Given under our hands and seal this 17th day of March, A.D., 2023, New Orleans, Louisiana.

FOR THE COURT:


Chief Justice John L. Weimer

SUPREME COURT OF LOUISIANA
A TRUE COPY OF DOCUMENT AS
SAME APPEARS IN OUR RECORDS


Theresa Ann McCarthy
Second Deputy Clerk of Court

RECEIVED AND FILED

2023 MAR 22 AM 9:43


DEPUTY CLERK OF COURT
ST. MARTIN PARISH

CERTIFICATE

BILL BROUSSARD

Vs. NO. 92077-C

MENDY GIROUARD, ET AL

STATE OF LOUISIANA

16th JUDICIAL DISTRICT COURT

PARISH OF ST. MARTIN

THIS IS TO CERTIFY that on MARCH 22, 2023, Notice of the signing of the SUPREME COURT OF LOUISIANA ORDER in this case was mailed to all parties and/or counsel interested therein.

WITNESS my hand at St. Martinville, Louisiana, on MARCH 22, 2023.

CLERK OF COURT

BY: *Jane L. Leust*
DEPUTY CLERK OF COURT

BILLY BROUSSARD
1307 S. MAIN STREET
BREAUX BRIDGE, LA 70517

ALEXANDRA LEBLANC
ERIC HAIK
ATTORNEYS AT LAW
P. O. BOX 11040
NEW IBERIA, LA 70562-1040

JUDGE VINCENT BORNE
16TH JUDICIAL DISTRICT
500 MAIN ST.
FRANKLIN, LA 70538

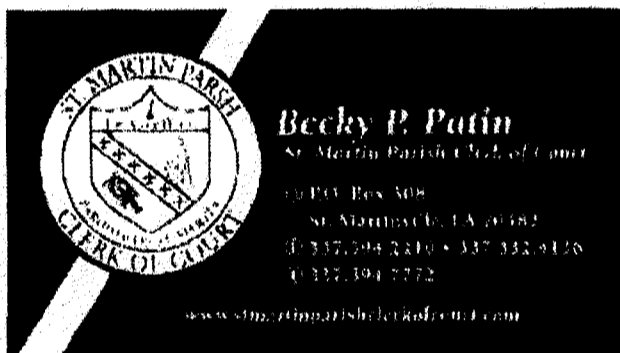
Toni Theriot

From: Wendy Angelle
Sent: Monday, March 20, 2023 9:37 AM
To: Toni Theriot
Subject: FW: Judge Walter Lanier Motion to Recuse Judge Vincent Borne in No. 92077 Broussard v Girouard and Dubroc 16th St. Martin
Attachments: 230317 Lanier Walter Mot to Rec Judge Vincent Borne in No. 92077 Broussard v Girouard and Dubroc 16th St. Martin.pdf

From: Becky Patin <becky@smclerkofcourt.com>
Sent: Friday, March 17, 2023 2:11 PM
To: Wendy Angelle <wendy@smclerkofcourt.com>
Subject: FW: Judge Walter Lanier Motion to Recuse Judge Vincent Borne in No. 92077 Broussard v Girouard and Dubroc 16th St. Martin

Becky P. Patin

Clerk of Court
St. Martin Parish



From: Leisa Desselle <LDesselle@LASC.ORG>
Sent: Friday, March 17, 2023 1:40 PM
To: 'WLANIER@LA-FCCA.ORG' <WLANIER@LA-FCCA.ORG>
Cc: 'lpitman@16jdc.org' <lpitman@16jdc.org>; 'amoore@16jdc.org' <amoore@16jdc.org>; 'beckypatin@stmartinparishclerkofcourt.com' <beckypatin@stmartinparishclerkofcourt.com>
Subject: Judge Walter Lanier Motion to Recuse Judge Vincent Borne in No. 92077 Broussard v Girouard and Dubroc 16th St. Martin



MEMORANDUM

Date: March 17, 2023
To: Judge Walter I. Lanier, III
Court of Appeal, First Circuit
From: Judicial Administrator's Office of Louisiana Supreme Court
400 Royal Street, Suite 1190, New Orleans, LA 70130-8101

Attached is an Order from the Supreme Court of Louisiana, dated March 17, 2023, assigning you as judge *ad hoc* of the Court, Division, and Parish or Parishes named therein for the purpose of hearing and disposing of the Motion to Recuse in the matter related to the case or cases named therein, subject to the completion of any unfinished business.

Please contact Catheryn Babin (504) 310-2614 with any questions pertaining to this assignment or Leisa Desselle (504) 310-2613 with any questions pertaining to this correspondence.

Thank you for your willingness to acceptance this assignment.

Attachment: (1) Order from the Supreme Court of Louisiana

cc: Chief Judge (jurisdiction of assignment)

Clerk of Court & Judicial Administrator (jurisdiction of assignment)

Clerk of Court & Judicial Administrator (originating jurisdiction of case)

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SUPREME COURT OF LOUISIANA

ORDER

Acting under the authority of Article V, Section 5(A), Constitution of 1974, and the inherent power of this Court, and considering the request of Chief Judge Lewis H. Pittman, Jr. to assign a judge ad hoc to hear and dispose of the Motion to Recuse Judge Vincent J. Borne in the below mentioned matter on the docket of the Sixteenth Judicial District Court, and further considering the willingness of Judge Walter I. Lanier, III to accept said assignment,

IT IS ORDERED THAT:

Judge Walter I. Lanier, III, Court of Appeal, First Circuit, be and he is hereby assigned as judge ad hoc of the Sixteenth Judicial District Court, Parishes of Iberia, St. Martin and St. Mary, for the purpose of hearing and disposing of the Motion to Recuse Judge Vincent J. Borne in the matter entitled "Billy Broussard vs. Mendy Girouard and Melissa Dubroc" No. 92077 on the docket of said court, subject to the completion of any unfinished business.

This Order shall not deprive the judges of the Sixteenth Judicial District Court, Parishes of Iberia, St. Martin and St. Mary, of their offices as judges of the Sixteenth Judicial District Court, Parishes of Iberia, St. Martin and St. Mary, or of any other courts to which they may have been assigned by previous order of this Court, nor shall it deprive Judge Walter I. Lanier, III of his office as judge of the Court of Appeal, First Circuit, or of any other court to which he may have been assigned by previous order of this Court.

The Court or Judge requesting ad hoc or pro tempore assistance shall have the duty and obligation to provide the requisite courtroom and office space, legal support personnel (if necessary), court reporting and secretarial personnel, and related equipment to enable ad hoc or pro tempore judges to fulfill their obligations.

The judge assigned to sit ad hoc or pro tempore hereunder in any district, juvenile, parish, city, municipal, or traffic court shall be subject to Supreme Court General Administrative Rule, Part G, Section 2, "Cases Under Advisement", with respect to deciding matters timely and reporting to this Court's Judicial Administrator.

Given under our hands and seal this 17th day of March, A.D., 2023, New Orleans, Louisiana.

FOR THE COURT:


Chief Justice John L. Welmer

BILLY BROUSSARD

VERSUS NO. 92077-C

**MENDY GIROUARD AND
MELISSA DUBROC**

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARTIN

STATE OF LOUISIANA

ORDER

Considering the Motion to Recuse Trial Judge,

Judge Vincent J. Borne will not recuse himself voluntarily in this matter as he believes that there was no bias shown at the hearing on February 15, 2023, on the Exception and that he can fairly and impartially continue the handling of this matter. However, considering that the motion may have stated valid grounds for recusal, he will request an ad hoc judge be appointed by the Louisiana Supreme Court to hear the Motion to Recuse in accordance with the procedure in Louisiana Code of Civil Procedure art. 154.

IT IS ORDERED that the Chief Judge of the 16th Judicial District Court request that an ad hoc judge be appointed by the Louisiana Supreme Court to hear the Motion to Recuse Trial Judge in accordance with Louisiana Code of Civil Procedure art. 154.

IT IS FURTHER ORDERED that, once the Louisiana Supreme Court appoints an ad hoc judge to hear the Motion to Recuse, this matter be set for hearing and all parties be notified of the date and time of the hearing.

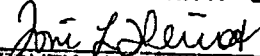
THUS DONE AND SIGNED at St. Martinville, St. Martin Parish, Louisiana, this 24th
day of February, 2023.



**VINCENT J. BORNE
DISTRICT JUDGE**

RECEIVED AND FILED

2023 FEB 24 AM 11: 22



DEPUTY CLERK OF COURT
ST. MARTIN PARISH

CERTIFICATE

BROUSSARD, BILLY

Versus

GIROUARD, MENDY - ET AL



Case: 092077

Division: C

16th Judicial District Court

Parish of St. Martin

State of Louisiana

THIS IS TO CERTIFY that on the 28th day of FEBRUARY, 2023, Notice of the signing of the ORDER in this case was mailed to all parties and/or counsel interested therein.

WITNESS my hand at St. Martinville, Louisiana, on this 28TH day of FEBRUARY, 2023.

CLERK OF COURT

BY: *Joni L. Sheriot*

Deputy Clerk of Court

TO:

BILLY BROUSSARD

1307 S. MAIN ST.

BREAUX BRIDGE, LA 70517

ALEXANDRA LEBLANC

ERIC T. HAIK

ATTORNEYS AT LAW

P. O. BOX 11040

NEW IBERIA, LA 70562

Toni Theriot

From: Angela Moore <amoore@16jdc.org>
Sent: Friday, February 24, 2023 12:14 PM
To: Toni Theriot
Subject: RE: Order (pertaining to a recusal)

Received...thank you...😊

Sincerely,
Angela Sorrel Moore
Court Administrator

From: Toni Theriot <toni@smclerkofcourt.com>
Sent: Friday, February 24, 2023 12:07 PM
To: Angela Moore <amoore@16jdc.org>
Subject: Order (pertaining to a recusal)

I am sure Judge Pitman will be in touch with you.
Toni Theriot

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

Toni Theriot

From: Angela Moore <amoore@16jdc.org>
Sent: Wednesday, March 22, 2023 10:50 AM
To: Toni Theriot
Cc: LYNN BOUDREAU; Jennifer Dore; DAVID SAVOY; Lewis Pitman
Subject: Ad Hoc Order - March 28, 2023 10AM
Attachments: AD HOC ORDER MT LANIER 92077-C SET DATE 2023.03.22.pdf

Toni,

Attached please find the Order for the Ad Hoc Judge on March 28, 2023 at 10 a.m. in St. Martinville.

Judge Pitman will bring the original Order to the St. Martin Clerk's Office today.

Sincerely,
Angela Sorrel Moore
Court Administrator
16th Judicial District Court
Parishes of Iberia, St. Martin & St. Mary
300 Iberia Street Suite 350
New Iberia, LA 70560
Phone: (337) 369-4466 Extension 4333
Fax: (337) 364-5621
amoore@16jdc.org

FILE

BILLY BROUSSARD

VS.

MENDY GIROUARD and
MELISSA DUBROC

*
*
*
*
*
*

DOCKET NO.: 92077-C

16TH JUDICIAL DISTRICT COURT

PARISH OF ST. MARTIN

STATE OF LOUISIANA

O R D E R

Acting under the authority of La. CCP Art. 154(B) and a judge ad hoc having been appointed by the Supreme Court of Louisiana;

IT IS HEREBY ORDERED the Motion to Recuse Judge Vincent J. Borne, 16th Judicial District Court, is to be heard before Judge Walter I. Lanier, III, on March 28, 2023 at 10:00 a.m. in St. Martinville, St. Martin Parish, Louisiana. *As a special filing*

Signed March 22, 2023 in New Iberia, Iberia Parish, Louisiana.

Lewis H. Pitman, Jr.

LEWIS H. PITMAN, JR.
CHIEF JUDGE, 16TH JUDICIAL DISTRICT
COURT

RECEIVED AND FILED

2023 MAR 22 AM 11:51

Jan L. Herriot
DEPUTY CLERK OF COURT
ST. MARTIN PARISH