

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

ANGELE MIXSON;	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 3:24-cv-106
v.	)	
	)	<b>COMPLAINT FOR DECLARATORY,</b>
LOUISIANA HORTICULTURE	)	<b>INJUNCTIVE, AND OTHER RELIEF</b>
COMMISSION; ROB BARRY, III;	)	
GEORGE BOFINGER; GARY	)	
BULLOCK; CHAD DANOS; RICHARD	)	
HILL; DAN JOHNSON; DR. MATTHEW	)	
LEE; MITCH MAYES; REBEKAH	)	
O'QUIN; DR. ANSEL T. RANKINS SR.;	)	
RUSTY RUCKSTUHL; COLE SIMS;	)	
MIKE STRAIN, DVM;	)	
	)	
Defendants.	)	

Angele Mixson simply wants to be able to arrange and sell flowers. Following the heartbreaking loss of her 26-year-old daughter to fentanyl poisoning, Angele found solace and a sense of purpose in arranging flowers for her daughter's gravesite. This became both a passion and a necessity considering the cost of flower arrangements, leading Angele to teach herself the art of floristry. Now, she simply wishes to be able to share that skill with the world. But in the state of Louisiana, alone among the states, to do so without a license is a civil violation.

Here, the Louisiana Horticulture Commission (the "Board") enforces an elaborate florist licensing law that arbitrarily and unjustly bars hundreds of potential florists from a legitimate route to financial stability. It restricts this inherently harmless occupation to those deemed "qualified" by the Board, thereby impeding the right of individuals to earn a living honestly. The Board upholds its requirements through a series of laws dictating an application process, an examination

process, and fees all for the simple act of arranging flowers (the “Retail Florist Licensing Regime”).

This practice stands in clear violation of the Due Process, Equal Protection, and Privileges or Immunities Clauses of the Fourteenth Amendment to the U.S. Constitution. Angele seeks recourse in this Court to vindicate her constitutional rights and permit her to practice the profession of floristry free from arbitrary and capricious constraints.

### **JURISDICTION AND VENUE**

1. Angele Mixson, the plaintiff, commences this civil rights lawsuit under the Fourteenth Amendment to the U.S. Constitution; the Civil Rights Act of 1871; 42 U.S.C. § 1983; and the Declaratory Judgment Act, 28 U.S.C. § 2201. She seeks declaratory and injunctive relief to prevent the enforcement of Louisiana’s unique and obstructive florist licensing laws and associated regulations. As these laws interfere with her ability to earn a living by arranging and selling flowers, the plaintiff also seeks nominal damages of \$1 for the violation of her constitutional rights.

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and 1343. because this action arises under the Constitution of the United States and federal law.

3. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claims occurred within this district and this is the district in which Plaintiff resides.

### **PARTIES**

4. Plaintiff Angele Mixson is a United States citizen and a resident of Denham Springs, Louisiana. Following the tragic loss of her daughter several years ago, she found both a therapeutic and practical interest in arranging flowers for her gravesite. To save on costs and to

keep the gravesite maintained, she taught herself the craft of flower arranging through resources such as YouTube tutorials, spending a fraction of the cost compared to purchasing arrangements.

5. Ms. Mixson attempted to purchase flowers wholesale to continue this practice but was denied access due to lack of a license. Upon reaching out to the state, she was informed of the state's stringent and unique requirements to obtain such a license, including paying \$114 and taking a licensing exam. Ms. Mixson is challenging these burdensome and exclusionary requirements, asserting they violate her constitutional rights and unfairly restrict her, and others like her, from carrying out a harmless and therapeutic occupation.

6. Defendants are the Louisiana State Horticulture Commission and Rob Barry, III, George Bofinger, Gary Bullock, Chad Danos, Richard Hill, Dan Johnson, Dr. Matthew Lee, Mitch Mayes, Rebekah O'Quin, Dr. Ansel T. Rankins, Sr., Rusty Ruckstuhl, Cole Sims, and Mike Strain, who serve as members of the Louisiana State Horticulture Commission. Defendant Board is a state board created under the laws of Louisiana and domiciled in East Baton Rouge Parish, Louisiana. This body is responsible for both the enforcement of Louisiana's unique florist licensing laws and for administering the state-mandated florist licensing exam which is contested in this lawsuit. The members of the Horticulture Commission are being sued in their official capacities.

## **FACTUAL BACKGROUND**

### **The Retail Florist Licensing Regime**

7. Pursuant to Louisiana statutes Title 3, §§ 3804-3808, anyone who wishes to arrange and sell floral designs that include living or freshly cut plant materials is required to apply for and obtain a retail florist's license, marking Louisiana as the only state in the United States with such a requirement. While other states may require some form of registration of a floral business,

Louisiana alone requires an individual florist to pass an exam to presumably demonstrate competence in order to practice.<sup>1</sup> Specifically:

No person shall receive fees, whether directly or indirectly, for engaging in a regulated profession, or advertise as engaged in a regulated profession, or solicit business in a regulated profession, unless the person holds a valid appropriate license issued by the commissioner, or has a regular employee who holds a valid appropriate license issued by the commissioner, or is employed by or is working under the direct supervision of a person who holds a valid appropriate license issued by the commissioner.

§ 3804(C).

8. The licensing process is governed by the Louisiana Horticulture Commission which administers the retail florist examination. The examination is created from a list of questions submitted by the Louisiana State Florists Association, Louisiana State University Agricultural Center, and the Louisiana Department of Agriculture and Forestry.

9. With the exception of statutory, ex officio members, all of the members of the Commission are active market participants in different parts of the regulated profession.

10. The examination is offered by appointment and costs \$114. Questions span from True/False and Multiple Choice to Matching, with a variety of subject matters represented.

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<sup>1</sup> Louisiana's restrictive system has been the subject of multiple prior Constitutional lawsuits. In 2003, the Institute for Justice challenged the retail florist licensing regime. *Meadows v. Odom*, No. 03-960, Complaint for Declaratory and Injunctive Relief (M.D. La. Dec. 18, 2003). Due to Hurricane Katrina, the plaintiffs were lost or moved and the case was ruled moot. *Meadows v. Odom*, 198 F. App'x 348 (5th Cir. 2006). In 2010, the Institute for Justice brought a new challenge to the licensing regime. *Chauvin v. Strain*, No. 2:10-cv-00729, Complaint for Declaratory and Injunctive Relief (E.D. La. Mar. 2, 2010). After the passage of a bill entitled H.B. 1407 that removed part of the examination, a subjective floral arrangement demonstration test, the plaintiffs voluntarily dismissed their case without prejudice. *Chauvin v. Strain*, No. 2:10-cv-00729, Notice of Stipulated Voluntary Dismissal (E.D. La. July 28, 2010). Even after this legislative change, Louisiana remains the only state in the nation to require a written competency test for individual retail florists.

11. The fee for issuance or renewal of a retail or wholesale florist license is \$100. Title 7, Part XXIX, Chapter 1. § 109A.B.2. The license “authorizes the holder . . . to arrange or supervise the arrangement of floral designs which include living or freshly cut plant materials and to sell at retail floral designs, cut flowers, and ornamental plants in pots normally and customarily sold by florists.” § 3808B(1). “Each person who engages in the profession of retail floristry shall have a regular employee at each place of business who is a licensed retail florist and whose license shall be on display at all times during the hours business is conducted in that profession.” § 3808B(3).

12. Meanwhile, “[a] wholesale florist’s license authorizes the holder thereof to prepare and sell cut flowers, plant materials, and ornamental plants in pots normally and customarily used by retail florists to persons who hold a retail florist’s license and to prepare and sell cut flowers to persons who hold a cut flower dealer’s permit. A wholesale florist’s license shall not authorize the holder thereof to arrange or sell floral designs.” § 3808B(4).

13. In contrast, an individual can sell “cut flowers” by obtaining a cut flower dealer permit that requires an application and a fee but not a test. Such sellers “[c]annot arrange flowers in any fashion.” Louisiana Department of Agriculture and Forestry, Cut Flower Dealer Permits, Florist and Flower Dealer Licensing, <https://www.ldaf.la.gov/plants/florists#cut-flower-dealer-permits> (last visited Jan. 2, 2024). They may “[s]ell cut flowers either singly or in bunches, or both. However, the holder of a cut flower permit may not sell cut flowers within three hundred feet of the place of business of a person engaged in the profession of retail florist.” § 3808I(1).

14. Retail florists are also entitled to operate vending machines at remote locations “for the sale of cut flowers and floral designs.” § 3808B(3). However, “[i]ndividuals licensed to operate vending machines shall not operate them outside of the parish more than twenty-five miles beyond their place of business.” § 3808B(6).

15. Angele Mixson is a resident of Louisiana who dreams of opening her own flower arranging business after learning this skill following her daughter's untimely death. To honor her daughter, Angele arranged flowers at her gravesite. *See* Photographs of Flower Arrangements, attached hereto as Exhibit 1.

16. Angele designed complex, beautiful, and masterfully crafted floral arrangements. One such arrangement consisted of rich red roses and white calla lilies. The red roses were fully bloomed, showcasing their fine petals, while the incorporated calla lilies had a sleek, trumpet-like shape with a smooth gradient of white and soft pink. They were complemented by clusters of white hydrangeas, green leaves and white alstroemeria flowers interspersed throughout. The arrangement exuded elegance and dignity befitting their purpose.



Ex. 1 at 6.

17. Another floral arrangement Angele arranged was a bouquet with an assortment of flowers including light yellow roses, and large white lilies with prominent stamens that provided a contrast to the rose's coloration. Angele interspersed among these pink flowers and smaller white flowers with a star-like shape and soft pink centers. Green leaves complemented the background green foliage of their intended setting. This composition evoked a sense of peace and dignity in memory of her loss.



Ex. 1 at 15.

18. Angele desires to use her hard-earned skills to provide flower arrangements for others. However, Angele's dream has been denied because of the state's licensing laws which require her to pass a difficult and costly examination before she can legally arrange and sell flowers in Louisiana.

19. Despite having the knowledge and skill to arrange flowers, Angele is being forced to apply for and take an unnecessary examination to pursue this calling in Louisiana.

20. Angele took the retail florist examination in the fall of 2023. On November 2, 2023, the Board wrote her to say: “We regret to inform you that you failed to make a passing score on the Retail Florist exam with a score of 25%.” *See* Letter from Tina Peltier, Director, Horticulture and Quarantine Programs, Louisiana Horticulture Commission, to Angele L. Mixson (Nov. 2, 2023), attached hereto as Exhibit 2. Angele was surprised, discouraged, and humiliated by her score considering her love for and knowledge of flower arrangement.

21. The licensure requirements that stand in the way of Angele’s dreams does not advance any discernible public health or safety interests, as indicated by the fact that there is no evidence of harm coming from unlicensed flower arranging in the other 49 states, nor during the 90-day grace period Louisiana allows for shops that lose their full-time state-licensed florist. *See* § 117A.2.a.

22. Angele Mixson, and many other aspiring florists in Louisiana, are inhibited by licensing laws that do nothing to protect the public welfare or advance any legitimate government interest but instead impose arbitrary barriers to entry into the floral business.

### **Impact on Plaintiff**

23. As interpreted and enforced by Defendants, Louisiana’s Retail Florist Licensing Regime requires anyone who wishes to arrange and sell flowers in Louisiana to have a retail florist’s license, which necessitates passing a state-administered examination. Angele Mixson, a mother who lost her daughter and found solace and purpose in arranging flowers for her gravesite, is prohibited from sharing these skills with others for compensation due to her inability to meet the stringent requirements for licensure.



24. Ms. Mixson has invested significant amounts of time and money, more than \$30,000 on flowers alone, to create graceful, heartfelt floral arrangements for her late daughter's gravesite. She would like to use this investment to provide flowers retail to others.

25. This requirement places an undue burden on Ms. Mixson, as it deprives her of the opportunity to work in flower arranging, further straining her finances.

26. The licensing regime thus presents an arbitrary and unnecessary barrier to Ms. Mixson's ability to engage in a meaningful and economically beneficial activity, impacting not only her emotional well-being but also her financial stability.

27. Louisiana's florist licensing requirements infringe upon Ms. Mixson's right to engage in her chosen form of expression and remembrance, free from arbitrary or unreasonable government interference.

#### **FIRST CAUSE OF ACTION**

##### **Violation of Plaintiff's Rights under the Due Process Clause of the Constitution**

28. Plaintiff Angele Mixson incorporates and realleges each and every allegation contained in this Complaint as if set forth fully herein.

29. As a free citizen, Angele Mixson has a fundamental right to engage in lawful occupation and express personal creativity, subject only to regulations that are rationally related to a legitimate government purpose. This right is safeguarded by the Due Process Clause of the Fourteenth Amendment to the U.S. Constitution.

30. By imposing burdensome prerequisites and denying her constitutional right to engage in the meaningful act of creating floral arrangements, Louisiana's florist licensing law, as

interpreted and applied by the Defendants, has caused, and will continue to cause irreparable harm to Angele Mixson.

31. The requirement that anyone who wishes to purchase flowers wholesale in the State of Louisiana must first acquire a retail florist license, which includes passing a state-administered examination, violates Angele Mixson's Fourteenth Amendment right to due process of law under the Fourteenth Amendment and 42 U.S.C. § 1983.

32. The mandated licensing process is not rationally related to a legitimate government purpose. The examination requirement does not demonstrably ensure a florist's competency or skill and blocks skilled flower arrangers like Angele from gainful employment.

33. Therefore, the Defendants' enforcement of the florist licensing law is causing a deprivation of Angele Mixson's constitutionally protected liberty and property interests without due process of law, in violation of the Fourteenth Amendment to the U.S. Constitution and 42 U.S.C. § 1983.

34. Unless enjoined, Defendants will continue to enforce the Retail Florist Licensing Regime, causing Angele Mixson ongoing irreparable injury for which there is no adequate remedy at law. Angele Mixson is entitled to declaratory and injunctive relief invalidating and restraining enforcement of the florist licensing law.

## **SECOND CAUSE OF ACTION**

### **Violation of Plaintiff's Rights under the Equal Protection Clause of the Constitution**

35. Plaintiff Angele Mixson incorporates each and every allegation set forth in foregoing paragraphs of this Complaint, as though fully set forth herein.

36. The State of Louisiana, its agents, and employees, including the Defendants herein, acting under color of state law, have imposed a burdensome licensing requirement on those who wish to arrange and sell flowers while exempting many other occupations, similarly harmless and requiring equal if not greater levels of skill and responsibility, from such licensing prerequisites.

37. The defendants' implementation and enforcement of the florist licensing law, which includes passing a state-administered examination, disproportionately impacts Angele Mixson and others who engage in the harmless occupation of floral arrangement for sale.

38. Meanwhile, cut flower dealers may sell single or bunched cut flowers without a state administered test – so long as the bunches are of the same type of flower. There is absolutely no conceivable rationale in public health, safety, welfare, or morals for distinguishing between bunches of one kind of flower and bunches of two kinds of flowers and requiring a test for one and not the other.

39. This selective enforcement of onerous licensing requirements lacks rational basis and serves no legitimate government interest, and it thereby infringes upon Angele Mixson's right to equal protection of the laws, as secured by the Fourteenth Amendment of the United States Constitution and 42 U.S.C. § 1983.

40. As a result of these violations, Angele Mixson has suffered and will continue to suffer irreparable harm, for which there is no adequate remedy at law.

41. Therefore, Angele Mixson is entitled to declaratory and injunctive relief against enforcement of the florist licensing law, in order to protect her constitutional right to engage in the lawful occupation of her choice on an equal footing with other citizens.

### **THIRD CAUSE OF ACTION**

#### **Violation of Plaintiff's Rights under the**

#### **First Amendment Right to Free Speech**

42. Plaintiff Angele Mixson incorporates each and every allegation set forth in the foregoing paragraphs of this Complaint, as though fully set forth herein.

43. The First Amendment to the U.S. Constitution protects an individual's right to express oneself freely, including through artistic and expressive conduct. Angele Mixson's creation and sale of floral arrangements is a form of artistic expression that falls within the ambit of such protected speech.

44. The florist licensing law, as enforced by the Defendants, suppresses Angele Mixson's expressive speech by imposing burdensome and arbitrary requirements on her ability to create and sell floral arrangements. This enforcement acts as a prior restraint on her artistic expression, which is protected by the First Amendment to the U.S. Constitution and 42 U.S.C. § 1983.

45. This restriction on Angele Mixson's artistic expression, especially considering its role in the memorialization of her deceased daughter, has caused and continues to cause substantial harm to her.

46. Angele Mixson is entitled to a declaration that the enforcement of the florist licensing law, as it applies to her, is an unconstitutional violation of her First Amendment rights. She seeks injunctive relief preventing further enforcement of these licensing requirements in her case.

## **FOURTH CAUSE OF ACTION**

### **Violation of Plaintiff's Rights under the**

#### **Privileges and Immunities Clause**

1. Plaintiff Angele Mixson incorporates each and every allegation set forth in the foregoing paragraphs of this Complaint, as though fully set forth herein.

2. By enforcing the mandatory state-administered florist licensing exam, the Defendants arbitrarily and unreasonably interfere with Angele Mixson's constitutional right to earn an honest living in her chosen occupation. The profession of arranging and selling flowers, which is inherently harmless, should not be subject to such stringent regulations.

3. Such enforcement of the florist licensing law infringes upon Angele Mixson's right to engage in her chosen profession, violating the privileges or immunities guarantee of the Fourteenth Amendment to the United States Constitution and 42 U.S.C. §1983.

4. This undue interference has caused and continues to cause Angele Mixson substantial harm, increasing the cost for her to mourn her deceased daughter in the way she has chosen, and limiting her ability to express her creativity for the benefit of others for financial gain.

5. Therefore, Angele Mixson is entitled to a declaration that the state-mandated licensing exam is unconstitutional, and she seeks injunctive relief preventing the further enforcement of the licensing requirements in her case.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that the Court provide her with the following relief:

- (A) A judgment invalidating and setting aside the Retail Florist Licensing Regime as a violation of the Constitution of the United States;
- (B) A declaratory judgment that the Retail Florist Licensing Regime, facially and as applied, violates Plaintiff's Fourteenth Amendment right to due process of law under the U.S. Constitution and 42 U.S.C. § 1983;
- (C) A declaratory judgment that the Retail Florist Licensing Regime, facially and as applied, violates Plaintiff's Fourteenth Amendment right to equal protection of the laws under the U.S. Constitution and 42 U.S.C. § 1983;
- (D) A declaratory judgment that the Retail Florist Licensing Regime, facially and as applied, violates her First Amendment right to free speech under the U.S. Constitution and 42 U.S.C. § 1983;
- (E) A declaratory judgment that the Retail Florist Licensing Regime, facially and as applied, violates Plaintiff's privileges or immunities guarantee under the Fourteenth Amendment to the U.S. Constitution and 42 U.S.C. § 1983;
- (F) A preliminary and permanent injunction prohibiting the Defendants, their agents, officials, servants, employees, and any other persons acting on their behalf from enforcing the Retail Florist Licensing Regime;
- (G) Plaintiff's reasonable attorneys' fees, costs, and other costs and disbursements in this action pursuant to 42 U.S.C. § 1988; and
- (I) All other further relief to which Plaintiff may be entitled.

Respectfully submitted this 14th day of February 2024.

/s/ 

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James Baehr (LSBA 35431), T.A.  
Sarah Harbison (LSBA 31948)  
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james@pelicaninstitute.org  
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Attorneys for Plaintiff

JS 44 (Rev. 08/18)

### CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Angele Mixson

(b) County of Residence of First Listed Plaintiff Livingston  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

James Baehr, Sarah Harbison, Pelican Institute for Public Policy, 400 Poydras St., #900, New Orleans, LA 70130

**DEFENDANTS**

LOUISIANA HORTICULTURE COMMISSION; ROB BARRY, III; GEORGE BOFINGER; GARY BULLOCK; CHAD DANOS; RICHARD

County of Residence of First Listed Defendant East Baton Rouge  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other  <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act  <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark  <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

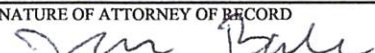
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 42 U.S.C. 1983, U.S. Constitution, 14th Amendment, 1st Amendment  
 Brief description of cause:  
 A lawsuit challenging the constitutionality of the state's unfair and unique licensing exam requirement for florists.

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ \_\_\_\_\_ CHECK YES only if demanded in complaint: JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions): JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE 02/14/2024 SIGNATURE OF ATTORNEY OF RECORD 

FOR OFFICE USE ONLY: RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

Middle District of Louisiana

**ANGELE MIXSON,**

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\_\_\_\_\_  
*Plaintiff(s)*

v.

Civil Action No. 3:24-cv-106

**LOUISIANA HORTICULTURE COMMISSION;  
ET. AL.,**

\_\_\_\_\_  
*Defendant(s)*

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

**LOUISIANA HORTICULTURE COMMISSION  
Louisiana Department of Agriculture and Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, LA 70806**

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**CLERK OF COURT**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Middle District of Louisiana

ANGELE MIXSON,

Plaintiff(s)

v.

LOUISIANA HORTICULTURE COMMISSION;
ET. AL.,

Defendant(s)

Civil Action No. 3:24-cv-106

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ROB BARRY, III
Louisiana Horticulture Commission
Louisiana Department of Agriculture and Forestry
5825 Florida Blvd., Suite 2000
Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Louisiana

ANGELE MIXSON,

Plaintiff(s)

v.

LOUISIANA HORTICULTURE COMMISSION;  
ET. AL.,

Defendant(s)

Civil Action No. 3:24-cv-106

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

GEORGE BOFINGER  
Louisiana Horticulture Commission  
Louisiana Department of Agriculture and Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify):*

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

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I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Middle District of Louisiana

ANGELE MIXSON,

Plaintiff(s)

v.

LOUISIANA HORTICULTURE COMMISSION;
ET. AL.,

Defendant(s)

Civil Action No. 3:24-cv-106

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

CHAD DANOS
Louisiana Horticulture Commission
Louisiana Department of Agriculture and Forestry
5825 Florida Blvd., Suite 2000
Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Louisiana

ANGELE MIXSON,

Plaintiff(s)

v.

LOUISIANA HORTICULTURE COMMISSION;  
ET. AL.,

Defendant(s)

Civil Action No. 3:24-cv 106

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

RICHARD HILL  
Louisiana Horticulture Commission  
Louisiana Department of Agriculture and Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

Middle District of Louisiana

ANGELE MIXSON,

*Plaintiff(s)*

v.

LOUISIANA HORTICULTURE COMMISSION;  
ET. AL.,

*Defendant(s)*

Civil Action No. 24-106

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

DR. MATTHEW LEE  
Louisiana Horticulture Commission  
Louisiana Department of Agriculture and Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

Middle District of Louisiana

ANGELE MIXSON,

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*Plaintiff(s)* )

v. )

Civil Action No. 3:24-cv 106

LOUISIANA HORTICULTURE COMMISSION;  
ET. AL., )

\_\_\_\_\_ )  
*Defendant(s)* )

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

MITCH MAYES  
Louisiana Horticulture Commission  
Louisiana Department of Agriculture and Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify):*

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

**Middle District of Louisiana**

**ANGELE MIXSON,**

*Plaintiff(s)*

v.

**LOUISIANA HORTICULTURE COMMISSION;  
ET. AL.,**

*Defendant(s)*

Civil Action No. 3:24-cv-106

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

**REBEKAH O'QUIN  
Louisiana Horticulture Commission  
Louisiana Department of Agriculture and Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, LA 70806**

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

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This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
 for the  
 Middle District of Louisiana

ANGELE MIXSON, )

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\_\_\_\_\_  
*Plaintiff(s)*

v. )

Civil Action No. 3:24-cv-106

LOUISIANA HORTICULTURE COMMISSION;  
 ET. AL., )

\_\_\_\_\_  
*Defendant(s)*

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant’s name and address)*

DR. ANSEL T. RANKINS SR.  
 Louisiana Horticulture Commission  
 Louisiana Department of Agriculture and Forestry  
 5825 Florida Blvd., Suite 2000  
 Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Middle District of Louisiana

ANGELE MIXSON,

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*Plaintiff(s)*

v.

Civil Action No. 3:24-cv-106

LOUISIANA HORTICULTURE COMMISSION;  
ET. AL.,

*Defendant(s)*

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

RUSTY RUCKSTUHL  
Louisiana Horticulture Commission  
Louisiana Department of Agriculture and Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
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\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

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Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



AO 440 (Rev. 06/12) Summons in a Civil Action

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**UNITED STATES DISTRICT COURT**  
 for the  
 Middle District of Louisiana

ANGELE MIXSON,

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

\_\_\_\_\_  
*Plaintiff(s)*

v.

Civil Action No. 3:24-cv-106

LOUISIANA HORTICULTURE COMMISSION;  
 ET. AL.,

\_\_\_\_\_  
*Defendant(s)*

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

COLE SIMS  
 Louisiana Horticulture Commission  
 Louisiana Department of Agriculture and Forestry  
 5825 Florida Blvd., Suite 2000  
 Baton Rouge, LA 70806

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**CLERK OF COURT**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 24-106

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

# Exhibit 1

















✠  
Kaitlyn  
Elizabeth  
Kaough  
April 21 1994  
Feb 28 2011









Kailyn  
Elizabeth  
Haough

April 21, 1994

Feb 28, 2021







Kailyn  
Elizabeth  
Kacough





Kailyn  
Elizabeth  
Kaough

APRIL 21, 1994



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Kailyn  
Elizabeth  
Kaough

APRIL 22, 1994  
MAY 12, 2024



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Kailyn  
Elizabeth  
Kaough

April 21, 1994



Kailyn Elizabeth Kaough  
April 21, 1994 - February 28, 2024





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Kailyn  
Elizabeth  
Kaough

APRIL 21, 1994



Kailyn Elizabeth  
April





Kailyn  
Elizabeth  
Kaough

April 21, 1991

Feb 28, 2011





April 21, 1994  
Feb 28, 2021



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Elizabeth  
Kaough



April 21, 1994  
-  
Feb 28, 2021



Kailyn Elizabeth Ka  
April 21, 1994 - February 28







Kailyn  
Elizabeth  
Kaough

Kailyn Elizabeth Kaough  
April 21, 1994 - February 28, 2021





Elizabeth Kaough  
February 28, 2021



Elizabeth  
Maough  
April







+

Elizabeth  
K. Hough

April 21, 1994  
Feb 28, 2021





**Kailyn Elizabeth Kaough**  
April 21, 1994 - February 28, 2021  
Our spirit princess,  
Forever in our hearts





# Exhibit 2



LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY  
MIKE STRAIN DVM  
COMMISSIONER



November 02, 2023

AGRICULTURAL &  
ENVIRONMENTAL  
SCIENCES  
5825 Florida Blvd  
Suite 3000  
Baton Rouge,  
LA 70806  
(225) 925-3770  
Fax: 925-3760

**ANGELE L MIXSON**  
**10664 SHERRIE LANE**  
**DENHAM SPRINGS LA 70726**

AGRO-CONSUMER  
SERVICES  
5825 Florida Blvd  
Suite 5000  
Baton Rouge,  
LA 70806  
(225) 922-1341  
Fax: 923-4877

Dear ANGELE L. MIXSON:

We regret to inform you that you failed to make a passing score on the Retail Florist exam with a score of 25%. You may apply to retake the exam after 7 days from the date you took this exam.

ANIMAL HEALTH  
SERVICES  
5825 Florida Blvd  
Suite 4000  
Baton Rouge,  
LA 70806  
(225) 925-3962  
Fax: 925-4103

Attached is an application form for you to fill out and return to this office with the proper payment to retake the exam. Upon receipt of this form and payment, we will be contacting you to reschedule you for the exam.

If you need further information, please feel free to contact our office at 225-952-8100.

FORESTRY  
5825 Florida Blvd  
Suite 6000  
Baton Rouge,  
LA 70806  
(225) 952-4500  
Fax: 922-1356

Sincerely,  
LOUISIANA HORTICULTURE COMMISSION

Tina Peltier  
Director, Horticulture and Quarantine Programs

MANAGEMENT  
& FINANCE  
5825 Florida Blvd  
Suite 1000  
Baton Rouge,  
LA 70806  
(225) 922-1255  
Fax: 237-5843

Enclosure

MARKETING  
5825 Florida Blvd  
Suite 2001  
Baton Rouge,  
LA 70806  
(225) 922-1277  
Fax: 922-1289

SOIL & WATER  
CONSERVATION  
5825 Florida Blvd  
Suite 7000  
Baton Rouge,  
LA 70806  
(225) 922-1269  
Fax: 922-2577

**ANGELE L MIXSON**  
**10664 SHERRIE LANE**  
**DENHAM SPRINGS LA 70726**





LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY

MIKE STRAIN DVM, COMMISSIONER

Horticulture Commission, 5825 Florida Blvd., Suite 1003, Baton Rouge, LA 70806, (225) 952-8100, FAX (225) 925-3760

APPLICATION FOR EXAMINATION(S)



ANGELE L MIXSON
10664 SHERRIE LANE
DENHAM SPRINGS LA 70726

Phone: (225) 397-8686
Business Phone:

Date of Birth: 4/2/1976

\* All applicants for licensure or permitting under the provisions of L.R.S 3:3801 et seq., must have attained their eighteenth (18th) birthday.

Retake Exam:

Retail Florist

NOTE: A \$114.00 fee for each exam must accompany this form. You have 90 days from the time of application in which to take exam or your exam fee will be forfeited. Make check payable to Louisiana Horticulture Commission.

Other Exams:

- Arborist Irrigation Contractor
Landscape Horticulturist Utility Arborist
Wholesale Florist

SIGNATURE Date

Please check the office at which you want to take the examination:

- BATON ROUGE ALEXANDRIA
SHREVEPORT OPELOUSAS
MONROE NEW ORLEANS
CROWLEY

5626000000



EXAM APPL FEE

0130 1595 01

AES-56-26 (r.12/15)

OFFICE USE
Transmittal #
Check #
Date
Amt. \$ .00