

STATE OF LOUISIANA
COURT OF APPEAL, SECOND CIRCUIT
430 Fannin Street
Shreveport, LA 71101
(318) 227-3700

CHRISTOPHER SPIRES AND LAURA LIVELY,
INDIVIDUALLY AND ON BEHALF OF NOLAN
SPIRES, A. MINOR

No. 55,867-CA

VERSUS

Appealed from
Ouachita Parish

ST. FRANCIS MEDICAL CENTER, MARC
DE SOLER, M.D., AMANDA CARNES, NNP,
AND KATHLEEN LIRETTE, NNP

No. 2022-0562

Before PITMAN, COX, and THOMPSON, JJ.

ORDER

Appellants, Christopher Spires and Laura Lively, individually and on behalf of Nolan Spires, a minor, have devolutively appealed the trial court's September 11, 2023, ruling granting motions for summary judgment filed by Dr. Marc de Soler, MD, Amanda Carnes, NNP, and Kathleen Lirette, NNP. The record lodged in this appeal indicates that on October 2, 2023, the trial court granted the appellants' motion for new trial, styled as a motion for reconsideration. However, the record fails to show that any further action has been taken by the trial court.

An order of appeal is premature if granted before the trial court disposes of all timely filed motions for new trial or judgment notwithstanding the verdict. The order becomes effective upon the denial of such motions. La. C.C.P. art. 2087. Accordingly, the appellants are hereby ordered to show cause, within 30 days of this Court's order, why the appeal should not be dismissed as premature. Briefing is hereby suspended pending further orders of this Court.

Shreveport, Louisiana, this 10 day of April, 2024.

JSC

JCO

JRT

FILED: April 10, 2024

[Signature]

DEPUTY CLERK