

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

No. 56,534-CW

RAUL RAMIREZ AND OLIN SHINE

VERSUS

CLAIBORNE ELECTRIC CO-OP, INC., ET AL

FILED: 05/09/25

RECEIVED: E-FILED 05/09/25

On application of Claiborne Electric Co-op, Inc., et al. for SUPERVISORY WRIT AND STAY in No. C-63673 on the docket of the Third Judicial District, Parish of LINCOLN, Judge Bruce Edward Hampton.

SPEARS & GARY, LLC
Claudia Hugill Gary

Counsel for:
Claiborne Electric Co-op, Inc.,
Federated Rural Electric Insurance
Company, and Sol E. Hunter

RUSSELL A. WOODARD, JR., LLC
Russell Alan Woodard, Jr.

Counsel for:
Raul Ramirez

Rickey Kenard Swift

Counsel for:
Olin Shine

Before COX, STEPHENS, and ELLENDER, JJ.

WRIT GRANTED AND MADE PEREMPTORY; REMANDED.

The applicant, Claiborne Electric Co-op, Inc., et al, seeks expedited supervisory review of the trial court's ruling granting the plaintiff's motion for partial summary judgment on liability. Our review of the record establishes that genuine issues of material fact remain as to the plaintiff's comparative fault, if any. Specifically, La. R.S. 32:64(A) provides that no person shall drive a vehicle on the highway at a speed greater than is reasonable and prudent under the conditions and potential hazards then existing. On *de novo* review, we find that issues of fact remain as to whether the speed of the plaintiff's vehicle in approaching and attempting to pass the slow-moving agricultural equipment was reasonable. Accordingly, this writ is granted and the trial court's ruling is

reversed. This matter is remanded to the trial court for further proceedings. In addition, the applicant's request for a stay is denied.

Shreveport, Louisiana, this 21 day of May, 2025.

DJE JSC JMS

FILED: May 21, 2025


DEPUTY CLERK