

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

No. 56,343-CA

MARY GARNETT ROBINSON HILL

VERSUS

CODY LEE HILL

FILED: 01/31/25

RECEIVED: PM 11/21/24

On application of Cody Lee Hill for SUPERVISORY WRIT in No. 2024-0884 on the docket of the Fourth Judicial District, Parish of OUACHITA, Judge Wilson Rambo.

CUMMINS & FITTS, LLC  
M. Therese Traylor Nagem  
Jessica Leigh Fitts

Counsel for:  
Cody Lee Hill

LAW OFFICES OF DAWN H. MIMS  
Dawn Hendrix Mims

Counsel for:  
Mary Garnett Robinson

Before STEPHENS, THOMPSON, and ROBINSON, JJ.

**WRIT GRANTED; AFFIRMED.**

Applicant Cody Hill seeks review of the trial court's July 23, 2024, "Ruling Regarding Exception of Improper Venue." Applicant challenges the trial court's denial of his request to transfer this matter to Tensas Parish. The determination of a party's intent to establish domicile is a question of fact and the trial court's findings of facts are not disturbed unless they are clearly wrong or manifestly erroneous. *Lacroix v. Lacroix*, 32,293 (La. App. 2 Cir. 9/22/99), 742 So. 2d 1036, writ denied, 99-3036 (La. 12/17/99), 752 So. 2d 167. La. C.C.P. art. 123(A) prohibits a case transfer if the plaintiff is domiciled in the parish where suit was filed when the motion to change venue is made. *Doe v. S. Gyms, L.L.C.*, 12-0448 (La. 5/4/12), 88 So. 3d 447. In this matter, Garnett Hill filed a petition for divorce and ancillary matters in Ouachita Parish on March 7, 2024. Prior to that time, she

executed an “Affidavit of Domicile,” and had it recorded in both the Tensas and Ouachita Parish public records on March 5, 2024, and March 7, 2024. Ms. Hill also signed a lease on the West Monroe residence on March 1, 2024, changed her driver’s license to reflect the West Monroe address on March 1, 2024, and her voter registration information to the West Monroe address on March 11, 2024. After that time, Ms. Hill became employed and enrolled her children in daycare in Ouachita Parish. The trial court accepted the evidence presented by Garnett Hill and determined that she had abandoned her former domicile and had sufficiently overcome the legal presumption to establish that her domicile had been changed. The trial court also rejected applicant’s request for transfer to Tensas Parish as a more convenient forum. Here, a reasonable factual basis for the district court’s ruling exists on the record before this Court and no abuse of discretion has been shown. The evidence sufficiently establishes that Ms. Hill was domiciled in Ouachita Parish when she filed suit for divorce and when the exception was filed. Thus, venue is proper in Ouachita Parish and transfer of the case is not warranted. The writ is granted, and the ruling of the trial court is affirmed.

Shreveport, Louisiana, this 4 day of June, 2025.

JRT MS JLR

FILED: June 4, 2025

Melby Melton  
DEPUTY CLERK