

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

No. 56,573-CW

SUCCESSION OF  
LOUIS ALBERT FRANKS

FILED: 06/05/25

RECEIVED: E-FILED 06/05/25

On application of Shaun Michael Franks for SUPERVISORY WRIT in No. P-6677 on the docket of the Eighth Judicial District, Parish of WINN, Judge Anastasia Stacy Wiley.

GATES LAW FIRM  
Justin Keith Gates

Counsel for:  
Shaun Michael Franks

Before STONE, COX, and MARCOTTE, JJ.

**WRIT GRANTED AND MADE PEREMPTORY.**

Applicant Shaun Michael Franks seeks review of a ruling of the trial court denying his “Judgment of Possession,” on grounds that the petition failed to include any type of acceptance of the succession or legacy as required by La. C.C.P. art. 3031. La. C.C. art. 957 provides that an acceptance is formal when the successor assumes the quality of successor in a judicial proceeding. In this matter, there is no evidence of a renunciation. Thus, Franks is presumed to accept the succession rights. La. C.C. art. 962. Moreover, Franks’ participation in these judicial proceedings as heir satisfies the requirements of La. C.C. art. 957 as an acceptance of the succession through his assuming “the quality of successor in a judicial proceeding.” Accordingly, the writ is granted and the ruling of the trial court denying the petition of possession for lack of acceptance is reversed. The matter is remanded to the trial court for further proceedings.

Shreveport, Louisiana, this 2\_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_, 2025.

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FILED: \_\_\_\_\_ July 2, 2025

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DEPUTY CLERK