

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

No. 56,523-CA

BAYOU TRACE HOMEOWNERS
ASSOCIATION, LLC

VERSUS

VERCELL FIFFIE

FILED: 04/30/25

RECEIVED: UPS 04/15/25

On application of Vercell Fiffie for SUPERVISORY WRIT in No. 2019-0537 on the docket of the Fourth Judicial District, Parish of OUACHITA, Judge Jefferson Bryan Joyce.

In Proper Person

Counsel for:
Vercell Fiffie

SNELLINGS BREARD ET AL
Wendy E. W. Giovingo
Kelly N. Clay

Counsel for:
Bayou Trace Owners
Association, LLC

Before STONE, STEPHENS, and ROBINSON, JJ.

WRIT GRANTED AND MADE PEREMPTORY; REMANDED WITH INSTRUCTIONS.

The applicant, Vercell Fiffie, seeks supervisory review of the trial court's January 30, 2025, ruling granting partial summary judgment in favor of Bayou Trace Owners Association, Inc. Applicant challenges the trial court's ruling on several grounds. We find merit to applicant's argument that the trial court erred in hearing, but not deciding or ruling on the peremptory exceptions filed in applicant's answer and argued at the summary judgment hearing. If granted, the peremptory exceptions could have ended the litigation in favor of applicant. Moreover, exceptions filed before or within an answer should be argued and decided prior to a hearing on a motion for summary judgment. La. C.C.P. art. 929(A); *Div. of Admin., Off. of Cmty. Dev. - Disaster Recovery Unit v. Stewart*, 22-0574 (La. App. 1 Cir. 12/15/22), 357 So. 3d 407. The writ is granted and the judgment of the trial court is reversed. The matter is remanded to the trial court

with instructions to issue a ruling on applicant’s exceptions prior to deciding the summary judgment.

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







FILED: October 21, 2025



DEPUTY CLERK