

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

No. 56,749-CW

## MONESHA MARTIN

## VERSUS

## WALMART, INC.

FILED: 10/10/25

RECEIVED: E-FILED 10/10/25

On application of Walmart, Inc. for SUPERVISORY WRIT in No. 2021-2879 on the docket of the Fourth Judicial District, Parish of OUACHITA, Judge Jefferson Bryan Joyce.

Heck Law Firm, LLP  
Charles Herman Heck, Jr. Counsel for:  
Monesha Martin

Before STONE, HUNTER, and MARCOTTE, JJ.

**WRIT GRANTED AND MADE PEREMPTORY; REVERSED;  
REMANDED.**

The applicant, Walmart, Inc., seeks supervisory review of the trial court's ruling granting Monesha Martin's motion for summary judgment as to liability.

This case involves a slip and fall. La. R.S. 9:2800.6(B)(1) provides, “[i]n a negligence claim brought against a merchant by a person lawfully on the merchant's premises for damages as a result of an injury, death, or loss sustained because of a fall due to a condition existing in or on a merchant's premises, the claimant shall have the burden of proving the condition presented an unreasonable risk of harm to the claimant and that risk of harm was reasonably foreseeable. A *de novo* review of this summary judgment record reveals that genuine issues of material fact remain regarding the issue of Walmart's liability. Each party has submitted opposing arguments and attachments in support of and opposition to the summary judgment. We find that these arguments and attachments present

unresolved issues of material fact concerning whether the condition in this matter presented an unreasonable risk of harm to the claimant. These genuine issues of material fact will necessarily involve credibility determinations that are more appropriately decided by the trier of fact than on summary judgment. This writ is granted and made peremptory. The ruling granting plaintiff's motion for partial summary judgment on the issue of liability is reversed. The matter is remanded for further proceedings.

Shreveport, Louisiana, this 22 day of January, 2026.

MJH

SDS

CQM

FILED: January 22, 2026

Molly Melan  
DEPUTY CLERK