

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

No. 56,864-CW

LOUIS DANIEL HAYNES, INDIVIDUALLY,
AND AS THE SURVIVING SON OF LOUIS FLANIGAN,
DECEASED, AND SHERRY Y. SAMUELS, INDIVIDUALLY,
AND AS THE SURVIVING DAUGHTER OF
INELL N. FLANIGAN, DECEASED,
IN SOLIDO

VERSUS

OMNI ENERGY TRANSPORTATION CORP., OMNI ENERGY SERVICES
CORP., CHARLES HOLSTON, INC., DANIEL PARKS, STARR INDEMNITY
& LIABILITY COMPANY, JACKIE OWENS, OWENS TRUCKING, LLC,
PROGRESSIVE INSURANCE COMPANY,
BRANDON WADE, AGGREGATE TRANSPORT SERVICE, LLC.,
HOUSTON SPECIALTY INSURANCE COMPANY
IN SOLIDO

FILED: 12/19/25

RECEIVED: BY HAND 12/19/25

On application of Louis Daniel Haynes and Sherry Y. Samuels for
SUPERVISORY WRIT in No. 83,828 on the docket of the Forty Second Judicial
District, Parish of DESOTO, Judge Nicholas E. Gasper.

SCOTT CRICHTON LAW, LLC

Scott J. Crichton

-and-

RICE & KENDIG, LLC

William Fabian Kendig, Jr.

-and-

GOUDARZI AND YOUNG

Brent Goudarzi

Jessica Allen

Kevin J. Simmons

-and-

Rhys E. Burgess

Ethan Arbuckle

-and-

LAW OFFICE OF MARY WATSON SMITH, LLC

Mary Watson Smith

Counsel for:

Louis Daniel Haynes and Sherry Y.
Samuels

TAYLOR, WELLONS, POLITZ & DUHE
Lacey Sanchez Rispone
Michael Mann Thompson
David Scott Rainwater

Counsel for:
Omni Energy Transportation Corp.,
Omni Energy Services Corp., Charles
Holston, Inc., Daniel Parks, Starr
Indemnity & Liability Company,
Jackie Owens, Owens Trucking, LLC,
Progressive Insurance Company,
Brandon Wade, Aggregate Transport
Service, LLC, and Houston Specialty
Insurance Company

KELLY & TOWNSEND, LLC
William L. Townsend, III

Counsel for:
Nolen's Recovery, Inc.

Before PITMAN, STEPHENS, and MARCOTTE, JJ.

**WRIT GRANTED IN PART AND MADE PEREMPTORY; WRIT DENIED
IN PART; REMANDED.**

The applicants, Louis Daniel Haynes and Sherry Y. Samuels, seek supervisory review of the trial court's ruling granting the defendants' motion *in limine* to exclude causation opinions from the investigating officer.

Pursuant to La. C.E. art. 701, the non-expert investigating officer should be permitted to testify as to *all* available facts and evidence, as well as provide opinion testimony as to his rational perceptions of *all* facts pertaining to the accident scene. However, the non-expert investigating officer is not permitted to testify as to his opinion regarding the ultimate issue of causation or liability. See *Farrar v. Centerpoint Energy Resources Corp.*, 52,557 (La. App. 2 Cir. 4/10/19), 269 So. 3d 1149; *Wingfield v. State ex rel. Dept. of Transp. and Development*, 01-2668 (La. App. 1 Cir. 11/8/02), 835 So. 2d 785, *writs denied*, 03-1313 (La. 5/30/03), 845 So. 2d 1059, 03-0339 and 03-0349 (La. 5/30/03), 845 So. 2d 1060, *certiorari denied*, 540 U.S. 950, 124 S. Ct. 419, 157 L. Ed. 2d 282 (2003); *Maricle v. Liberty Mut. Ins. Co.*, 04-1149 (La. App. 3 Cir. 3/2/05), 898 So. 2d 565.

In this matter, we find that the trial court erred in allowing any opinion testimony by the investigating officer regarding the ultimate issue of causation of the accident by Flanigan. We also find that the trial court erred in excluding testimony from the investigating officer relating to the facts and his rational perceptions of the facts pertaining to Parks' inward-facing dash camera video. The writ is granted in part to reverse those portions of the trial court's ruling. In all other respects, the writ is denied. This matter is remanded to the trial court for further proceedings.

Shreveport, Louisiana, this 31 day of March, 2026.

COM

JJP

JMS

FILED: March 31, 2026

Molly Melton

DEPUTY CLERK