

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

No. 56,865-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 AND MADE PEREMPTORY; REVERSED;  
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 evidence of survival damages. The purpose of a motion *in limine* is to test the admissibility of evidence prior to trial and thereby exclude evidence that is otherwise inadmissible or unfairly prejudicial. *See Succession of Shaw v. Alexandria Investment Group, LLC*, 17-582 (La. App. 3 Cir. 7/26/17), 248 So. 3d 332. It should not be used as a device to eliminate a claim or legal issue or to resolve a substantive or factual issue. The trial court's finding that the plaintiffs' cause of action for survival damages was based on speculation exceeded the purpose and limits of a motion *in limine* and effectively dismissed the plaintiffs' survival claims without a dispositive motion. Therefore, this writ is granted and the trial court's ruling granting the defendants' motion *in limine* to exclude evidence of survival damages is reversed. 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

Melby Melton

DEPUTY CLERK