

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

JEFF MERCER, L.L.C.

NO. 2026 CW 1000

VERSUS

AUSTIN BRIDGE AND ROAD, LP,
FEDERAL INSURANCE COMPANY,
FIDELITY AND DEPOSIT COMPANY
OF MARYLAND, TRAVELERS
CASUALTY AND SURETY COMPANY
OF AMERICA, ZURICH AMERICAN
INSURANCE COMPANY AND STATE
OF LOUISIANA, DEPARTMENT OF
TRANSPORTATION AND
DEVELOPMENT

SEPTEMBER 18, 2026

In Re: Austin Bridge & Road, LP, applying for supervisory
writs, 19th Judicial District Court, Parish of East
Baton Rouge, No. 615815.

BEFORE: THERIOT, PENZATO, GREENE, EDWARDS, AND BALFOUR, JJ.

WRIT GRANTED. The trial court's July 28, 2026 judgment, ordering defendant, Austin Bridge and Road, L.P., to furnish a supplemental suspensive appeal bond in the amount of \$6,207,862.09, is reversed. Although the trial court retains continuing jurisdiction over an appeal bond under La. Code Civ. P. art. 2088(A)(5), that jurisdiction does not authorize the trial court to increase a previously sufficient bond solely to account for additional interest accruing after the security was furnished. The amount of security for a money judgment includes interest to the date the security is furnished. See La. Code Civ. P. arts. 2124(B)(1) and 2124(D).

**MRT
AHP
HG**

Balfour, J., concurs.

Edwards, J., dissents and would deny the writ.

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DEPUTY CLERK OF COURT
FOR THE COURT