

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

SUSIE SOE, A MINOR, BY AND THROUGH
HER PARENTS AND GUARDIANS, SANDRA SOE
AND STEPHEN SOE, SANDRA SOE, STEPHEN
SOE, DANIEL DOE, A MINOR, BY AND
THROUGH HIS PARNETS AND GUARDIANS,
DIANA DOE AND DAVID DOE, DIANA DOE,
DAVID DOE, MAX MOE, A MINOR, BY AND
THROUGH HIS PARENT AND GUARDIAN,
MICHAEL MOE, MICHAEL MOE, NIA NOE, A
MINOR, BY AND THROUGH HER PARENT AND
GUARDIAN, NANCY NOE, NANCY NOE, GRANT
GOE, A MINOR, BY AND THROUGH HIS
PARENTS AND GUARDIANS, GRACE GOE AND
GREG GOE, GRACE GOE AND GREG GOE

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VERSUS

THE LOUISIANA STATE BOARD OF MEDICAL
EXAMINERS, TERRIE R. THOMAS, KIM S.
SPORT, RITA Y. HORTON, JUZAR ALI,
RODERICK V. CLARK, LESTER W. JOHNSON,
PATRICK T. O' NEILL, JAMES A. TAYLOR,
JR., LEONARD WEATHER, JR., AND CHERYL
HAYES WILLIAMS, IN THEIR OFFICIAL
CAPACITIES AS MEMBERS OF THE
LOUISIANA STATE BOARD OF MEDICAL
EXAMINERS AND ELIZABETH MURRILL, IN
HER OFFICIAL CAPACITY AS ATTORNEY
GENERAL OF LOUISIANA

OCTOBER 1, 2026

In Re: Susie Soe, et al., applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge, No.
751385.

BEFORE: PENZATO, LANIER, AND FIELDS, JJ.

WRIT DENIED.

AHP
WIL

Fields, J., dissents and would grant the writ. La. Code Civ P. art. 151(B) provides that a judge of any trial or appellate court shall be recused when there exists a substantial and objective basis that would reasonably be expected to prevent the judge from conducting any aspect of the cause in a fair and impartial manner. A party who challenges the judge's non-compliance with the duty of impartiality has the burden to prove that a recusal is warranted by presenting evidence of a substantial nature and based on more than conclusory allegations. **Disaster Restoration Dry Cleaning, L.L.C. v. Pellerin Laundry Mach. Sales Co.**, 2005-0715 (La. 4/17/06), 927 So.2d 1094. An abuse of discretion by a trial court, as found by an appellate court on review, generally results from a conclusion reached capriciously or in an arbitrary manner, which means the absence of a rational basis for the action taken. **Boone Servs., LLC v. Clark Homes, Inc.**, 2023-0299 (La. App. 1st Cir. 10/18/23), 377 So.3d 304. I find the

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trial court abused its discretion in granting the Motion to Recuse. The evidence failed to establish a substantial and objective basis that would reasonably be expected to prevent Judge Johnson from conducting any aspect of the cause in a fair and impartial manner. Thus, I would reverse the judgment of the trial court and deny the Motion to Recuse.

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DEPUTY CLERK OF COURT
FOR THE COURT