

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

VERONICA JAMES, A/K/A
VERONICA JONES

NO. 2026 CW 1203

VERSUS

CITY OF THIBODAUX; THIBODAUX
POLICE DEPARTMENT; AND CHIEF
BRIAN ZERANGUE, IN HIS
OFFICIAL CAPACITY

SEPTEMBER 21, 2026

In Re: Veronica James a/k/a Veronica Jones, applying for
supervisory writs, Thibodaux City Court, Parish of
Lafourche, No. 24971.

BEFORE: PENZATO, LANIER, MILLER, EDWARDS, AND FIELDS, JJ.

WRIT GRANTED WITH ORDER. The City Court's August 26, 2026 order which denied pauper status is vacated. La. Code Civ. P. art. 5183(B)(1) provides that upon the filing of the completed application and supporting affidavits, the court shall render an order that does one of the following: (a) Grants the application and allows applicant to litigate or continue the litigation without paying the costs in advance; (b) Denies the application with written reasons for such denial; (c) Sets the matter for contradictory hearing. Moreover, the submission by the applicant of supporting documentation that the applicant is receiving public assistance benefits or that the applicant's income is less than or equal to one hundred twenty-five percent of the federal poverty level shall create a rebuttable presumption that the applicant is entitled to the privilege granted in this Chapter. If the court finds that the presumption has been rebutted, it shall provide written reasons for its finding. La. Code Civ. P. art. 5183(B)(2). The City Court denied pauper status, but failed to comply with Article 5183(B) and did not provide written reasons for the denial. This writ is granted for the purpose of remanding this matter to the City Court for compliance with Article 5183(B) on or before October 21, 2026. Relator's deadline to pay the estimated appeal costs is extended to November 20, 2026.

SMM
BDE
WEF

Penzato and Lanier, JJ., concur in part and dissent in part. While we agree that the City Court's August 26, 2026 order should be vacated, we dissent from the remand and would deny the remainder of the writ. Once the City Court granted relator an appeal, it no longer had jurisdiction to rule on a subsequent pauper motion. La. Code Civ. P. art. 2088; see **Mason v. Hedrick**, 2019-113 (La. App. 3d Cir. 4/17/19), 268 So.3d 1074; **Savoy v. Lavespere**, 2024-0856 (La. App. 1st Cir. 11/20/24), 2024 WL 4835958 (unpublished).

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DEPUTY CLERK OF COURT
FOR THE COURT