

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

DENISHA COLEMAN

NO. 2026 CW 0664

VERSUS

TYLER JUDSON, WAFFLE HOUSE,
INCORPORATED D/B/A WAFFLE
HOUSE, AND ABC INSURANCE
COMPANY

OCTOBER 22, 2026

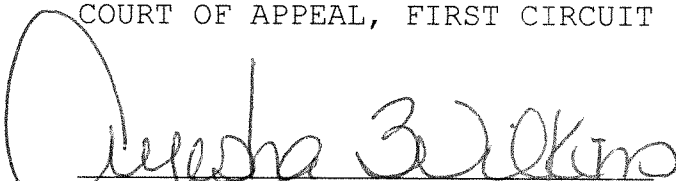
In Re: Waffle House Incorporated, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 707916.

BEFORE: THERIOT, GREENE, AND EDWARDS, JJ.

WRIT GRANTED. We find defendant, Waffle House, Incorporated d/b/a Waffle House, is entitled to summary judgment. The duty-risk analysis is used to determine a business establishment's liability to a patron for the criminal acts of a third party. **Panyanouvong v. T & H Convenience Store, Inc.**, 97-2727 (La. App. 1st Cir. 12/28/98), 734 So.2d 9, 12, writ denied, 99-1839 (La. 10/15/99), 748 So.2d 1148. Although business owners generally have no duty to protect others from the criminal acts of third persons on their premises, they do have a duty to implement reasonable measures to protect their patrons from criminal acts when those acts are foreseeable. **Posecai v. Wal-Mart Stores, Inc.**, 99-1222 (La. 11/30/99), 752 So.2d 762, 766. We find the particular risk encountered by plaintiff, Denisha Coleman, was not sufficiently foreseeable or easily associated with Waffle House's duty to maintain reasonably safe premises and, therefore, fell outside the scope of that duty. Accordingly, the trial court's May 12, 2026 judgment is reversed, summary judgment is rendered in favor of Waffle House, Incorporated d/b/a Waffle House, and plaintiff, Denisha Coleman's, claims against this defendant are dismissed.

**MRT
HG
BDE**

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT