

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2026 CA 0260

CONNIE ST. PIERRE

VERSUS

MOSSY MOTORS, L.L.C., ET AL.

Judgment Rendered: SEP 18 2026

On Appeal from the
22nd Judicial District Court
In and for the Parish of St. Tammany
State of Louisiana
Case No. 2024-14964

Honorable Tara F. Zeller, Judge Presiding

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Connie St. Pierre

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Counsel for Defendants/Appellees
Mossy of Mississippi, L.L.C., Roger
Bacon, Jr., and Beth Brockert Bacon

BEFORE: PENZATO, LANIER, AND FIELDS, JJ.

akp
WLR
JD

LANIER, J.

In this case, plaintiff, Connie St. Pierre, filed suit against defendants, Mossy Motors, L.L.C.;¹ Mossy of Mississippi, L.L.C. ("Mossy Mississippi"), as a wholly owned subsidiary of Mossy Motors, L.L.C.; and Roger Bacon, Jr. and Beth Brockert Bacon, both named as managers of Mossy Mississippi, seeking damages related to her vehicle that was stolen from Mossy Mississippi and subsequently destroyed. In response to Ms. St. Pierre's petition, Mossy Mississippi filed declinatory exceptions raising the objections of lack of personal jurisdiction, improper venue, and insufficiency of service of process. Following a hearing, the trial court sustained the declinatory exceptions filed by Mossy Mississippi and dismissed, with prejudice, Ms. St. Pierre's claims against Mossy Mississippi.² Ms. St. Pierre appealed, challenging the effect of the judgment as to Mossy Mississippi alone. The sole issue for our review is whether the trial court erred in dismissing Ms. St. Pierre's claims against Mossy Mississippi with prejudice.

The function of a declinatory exception is to decline the jurisdiction of the court, but it does not tend to defeat the action. La. Code Civ. P. art. 923; **Dupre v. Floyd**, 2002-0153 (La. App. 1 Cir. 12/20/02), 845 So.2d 370, 371. Thus, a dismissal with prejudice based on a declinatory exception is generally contrary to the underlying rationale of a declinatory exception. See **Robbins v. Delta Wire Rope, Inc.**, 2015-1757 (La. App. 1 Cir. 6/3/16), 196 So.3d 700, 706. The trial court had no authority to issue a judgment that bars Ms. St. Pierre from bringing her cause of action against Mossy Mississippi as a separate claim in a proper forum. See

¹ Pursuant to a motion filed by Ms. St. Pierre, the trial court dismissed, with prejudice, all rights, claims, and causes of action asserted against Mossy Motors, L.L.C. by Ms. St. Pierre in their entirety.

² The Bacons filed a peremptory exception raising the objection of no cause of action. The trial court sustained the objection and dismissed, with prejudice, Ms. St. Pierre's claims against the Bacons. This portion of the trial court's judgment is final.

NorthShore Regional Medical Center, L.L.C. v. Dill, 2011-2271 (La. App. 1 Cir. 6/8/12), 94 So.3d 155, 165, writ denied, 2012-1494 (La. 10/8/12), 98 So.3d 862. Accordingly, we amend the trial court's judgment to reflect that Connie St. Pierre's claims against Mossy of Mississippi, L.L.C. are dismissed "without prejudice" and affirm as amended.

We issue this summary opinion in accordance with Uniform Rules—Courts of Appeal, Rule 2-16.2A(2) and (4) and assess all costs associated with this appeal equally between the parties.

AFFIRMED AS AMENDED.