

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

GWAINÉ LUNO, JONATHAN
PENLEY, JACOBI LANDRY,
MARCOS BROWN, BRAD LEONARD,
AND Q.M.

NO. 2025 CW 1266

VERSUS

DEFENDANT 1, DEFENDANT 2,
DEFENDANT 3, AND DEFENDANT 4

OCTOBER 15, 2026

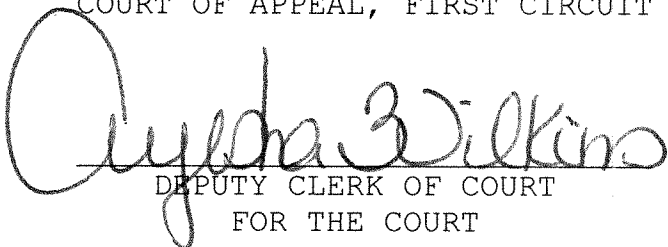
In Re: State of Louisiana, through the Department of Public
Safety and Corrections, applying for supervisory writs,
19th Judicial District Court, Parish of East Baton
Rouge, No. 760120.

BEFORE: THERIOT, PENZATO, AND BALFOUR, JJ.

WRIT GRANTED IN PART AND DENIED IN PART. The portion of the district court's November 3, 2025 judgment which denied the exception of lack of subject matter jurisdiction filed by defendant, State of Louisiana, through the Department of Public Safety and Corrections, is reversed, in part, as to plaintiffs, Jacobi Landry, Marcos Brown and Brad Leonard. Plaintiffs did not dispute they did not exhaust their administrative remedies, which were in effect at the time of the alleged abuse, and plaintiffs failed to prove that such remedies were irreparably inadequate so as to excuse the failure to exhaust. See La. R.S. 15:1172; **Frances v. Defendant 1**, 2025-1328 (La. App. 1st Cir. 7/15/26), -- So.3d --, 2026 WL 2044042. Accordingly, the exception of lack of subject matter jurisdiction is granted as to the claims of plaintiffs, Jacobi Landry, Marcos Brown and Brad Leonard, and their claims against, defendant, State of Louisiana, through the Department of Public Safety and Corrections, are dismissed without prejudice. The writ is denied as to the claims of plaintiffs, Gwayne Luno, Jonathan Penley and Q.M., and in all other respects.

**MRT
AHP
KEB**

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DEPUTY CLERK OF COURT
FOR THE COURT