

# THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION

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## EVENTS AT A GLANCE

- 3/27 SBA Membership Luncheon –  
12:00 p.m. - Petroleum Club
- 5/1 SBA Law Day Membership  
Luncheon – 12:00 p.m. - Petroleum  
Club



## From The President

by Kenneth P. Haines, [kenny@weems-law.com](mailto:kenny@weems-law.com)

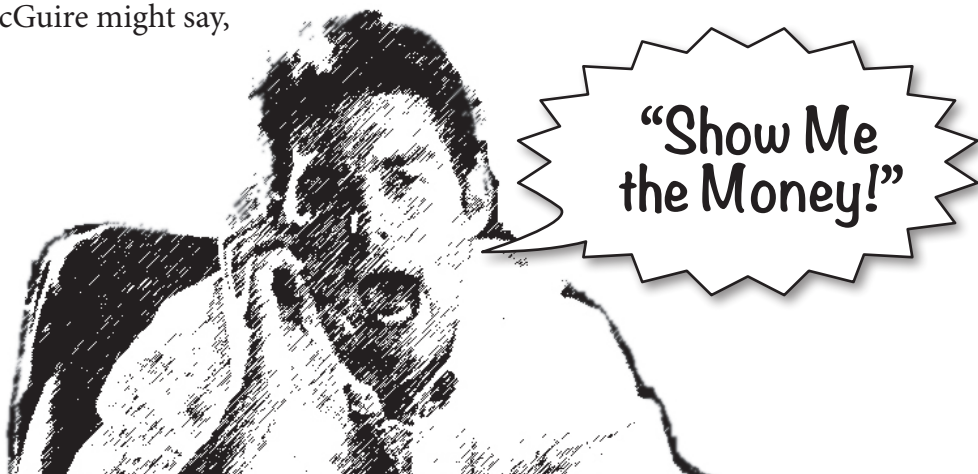
Income is the lifeblood of any organization. And at the Shreveport Bar Association, we are perpetually endeavoring to both raise money and deliver product to our members. For years golf tournaments were a fun source of revenue generation. Alas, golf tournaments, much like the ole gray (or is it grey) mare, “ain’t what she used to be.” Last year was the last, at least for a while, golf tournament to be hosted by the SBA.

Between 2020 and now, another sport, pickleball, has grown exponentially in popularity. According to the Sports & Fitness Association, there were around 8.9 million players walking the planet in 2022. It seems there are pickleball courts popping up everywhere. From public parks, to country clubs, retirement communities and even Bodacious Bar and Q on Line Ave., pickleball courts abound.

Young and old are trying their hand at wiffle-ball tennis. The target demographic for the sport is 18-54, but yes, even old people such as myself (59) are able to enjoy a match.

This is why I have drafted Valerie DeLatte Gilmore and Robert Dunkelman to chair the committee and host the grandest and most lucrative pickleball tournament our bar association has ever seen. Our target demographic is the entirety of the Shreveport Bar Association and everyone that members of the bar know would have fun playing in a pickleball tournament.

So, all you “PICKA-BALL-ERZ” (that’s slang for people who consider themselves to be decent pickleball players), be looking for your invitation and sign up to play. We hope to pass a good time, exercise a little bit, and most of all raise some cash for the Shreveport Bar Association. As Jerry McGuire might say,



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# M A R 2 0 2 4

## Save the Dates 2024

### Shreveport Bar Association's Continuing Legal Education

**APR**

25

**Lunch & Learn  
Session I  
Legal Technology Update**

**AUG**

22

**Lunch & Learn  
Session II  
Legal Technology Update**

**SEPT**

18-19

**Recent Developments  
by the Judiciary  
Seminar**

**OCT**

3-4

**SBA  
Trial Academy**

**OCT**

TBD

**North Louisiana  
Criminal Law  
Seminar**

**DEC**

18-19

**December CLE  
By the Hour**

**DEC**

30

**Lunch & Learn  
Session III  
Ethics & Professionalism  
Last Chance**



**Shreveport Bar Center**

**625 Texas Street, Shreveport, LA**



**Join us for one or more  
of our Lunch & Learn  
sessions in 2024!**

**Approved for 4 Louisiana  
CLE Credit Hours**

**12 pm - 1 pm**

**April 25**

**Aug 22**

**11am - 1pm**

**Dec 30**

**April 25**

**Legal Technology Update –Session I**

***Presented by Katherine Gilmer and Sarah Giglio — Gilmer & Giglio LLC***

**August 22**

**Legal Technology Update-Session II**

***Presented by Melissa Allen –U.S. Fifth Circuit Court of Appeals***

**December 30**

**Ethics & Professionalism –Session III**

***Last Chance to get your ethics and professionalism hours before the clock runs out. Presenters to be announced***

**To register visit:**

**<https://shreveportbar.com/lunch-learn-2024/>**



# Federal Update

by Chris Slatten, [Chris\\_Slatten@lawd.uscourts.gov](mailto:Chris_Slatten@lawd.uscourts.gov)

## **Bankruptcy Adversary; Post-Judgment Interest:**

The post-judgment interest statute, 28 U.S.C. § 1961(a), says “interest shall be allowed on any money judgment in a *civil case* recovered in a *district court*.” (Emphasis added). Does the statute apply to require post-judgment interest on a judgment entered in an *adversary* action in a *bankruptcy* court? Yes, except in cases where more specific provisions of Title 11 may control. *Matter of Imperial Petroleum Recovery Corp.*, 84 F.4th 264, 271 (5th Cir. 2023).

**Slip and Fall; Summary Judgment:** Walmart video surveillance showed a customer drop a container of hair product that spilled onto the floor of an aisle. It also showed the plaintiff slip and fall there 15:48 later. Judge Summerhays denied Walmart’s motion for summary judgment, finding a genuine issue as to Walmart’s constructive notice. He distinguished several cases that involved similar 15-16 minute time frames. *Zackery v. Walmart*, 2024 WL 313634 (W.D. La. 2024).

**Mistrial and Double Jeopardy:** After a state court jury was seated and sworn, two jurors said they may have scheduling issues if trial went to a second day. One was a realtor who had appointments with a client who was getting angry, and the other was not sure if her mother could watch her children a second day. The issue of mistrial arose. Defense counsel objected and noted that jeopardy attached when the jury was sworn. The judge nonetheless granted a mistrial and mistakenly cited the rule for bench trials that jeopardy attaches when a witness is sworn. A new jury was empaneled the next day, the defendant was convicted of aggravated battery, and a 20-year sentence was imposed.

The 5CA granted habeas relief and tossed the conviction in *Lewis v. Bickham*, 91F.4th 1216, (5th Cir. 2024) as a violation of the Double Jeopardy Clause. If a trial court declares a mistrial over a defendant’s objection, the Clause bars a future trial unless there is a manifest (high degree of) necessity for the mistrial. The jurors’ scheduling conflicts did not rise to the level of “legitimate unavailability” (e.g., death of a parent, illness confirmed by doctor, inability to understand English) that has been held to allow for a mistrial.

**Sentencing Guidelines; Restraint of Victim:** Duffey and his cohorts robbed a series of banks in DFW. Each bank’s manager was held at gunpoint, moved to the vault, and told to open it. The trial court applied U.S.S.G. § 2B3.1(b)(4)(B), which imposes a two-level enhancement “if any person was physically restrained to facilitate commission of the offense or to facilitate escape.” The commentary defines “physically restrained” as “the forcible restraint of the victim such as by being tied, bound, or locked up.” Caselaw says this list is of examples, so a court

can find that a defendant physically restrained his victims without evidence that he actually tied, bound, or locked them up.

The 5CA distinguished cases where a defendant merely held a gun and told victims to get on the ground (no restraint) from those where the defendant used a gun to herd victims into a vault, office, or confined space (restraint). The district court did not abuse its discretion in applying the restraint enhancement where the robber forced the manager to the vault at gunpoint. *U.S. v. Duffey*, 92 F.4th 304, 2024 WL 393266 (5th Cir. 2024).

**Wrong House Searched:** You and your children are home when SWAT breaches the door and windows and tosses in a flash bang. As they order your family on the ground, the cops realize they have entered the wrong house. Their search warrant (with a photo of the target home) is for 573 Maple (a home with a chain-link fence around it), and your house is 593 (two doors down with no fence but a wheelchair ramp and railings).

How much will you win in a \$ 1983 lawsuit against the cops for illegal search? Zero in the 5CA, which reversed a district court and granted qualified immunity to the lead officer. The majority held that his actions were not objectively unreasonable. *Jimerson v. Lewis*, \_\_ F.4th \_\_, 2024 WL 640247 (5th Cir. 2024).

**Justice John Harlan:** Those who attended the January SBA meeting were treated to an excellent presentation by Peter Canellos, author of “The Great Dissenter-The Story of John Marshall Harlan, America’s Judicial Hero.” Most know that Harlan was the lone dissenter in *Plessy v. Ferguson* (1896), the decision that allowed the separate but equal doctrine to stand until *Brown v. Bd. Of Education* (1954). Canellos’ book reviews *Plessy* as well as several other areas of the law where Harlan was in dissent and ahead of his time, among them antitrust law, the *Civil Rights Cases* (1883), *Lochner v. New York* (1905), and *The Insular Cases*. It also describes Kentuckian Harlan’s service in the Union Army and the unique issues faced by border state residents during the Civil War.

Robert Harlan, Justice John Harlan’s mixed-race brother, was born into slavery and owned by John’s father. The book tells Robert’s fascinating story of becoming a free and educated man who attained great success in business, gold mining, horse racing, and politics. Canellos also describes the horrific events that led to the only time the Supreme Court sat as a trial court, to conduct a contempt hearing for a Chattanooga sheriff who allowed a mob to lynch Ed Johnson after Justice Harlan granted a writ that should have stayed Johnson’s death sentence. “The Great Dissenter” is well worth your time if you are interested in law or history.



# How Write You Are

by Hal Odom Jr., [rhodom@la2nd.org](mailto:rhodom@la2nd.org)

## Is that official, or just in the past?

When the words are adjectives, we have little trouble distinguishing between *formal* = official, according to rule, and *former* = earlier, bygone. However, when they're adverbs they sound a lot alike. Consider the following examples; which ones are right?

- “Conversion disorder,’ *formally known as* hysteria, is considered psychiatric in nature.” *Fanguy v. Patwardhan*, 48,773 (La. App. 2 Cir. 4/9/14), 136 So. 3d 998. According to the National Institutes of Health, the condition was originally called *hysteria*, was later called *conversion disorder* and is now called *functional neurological disorder*. Since *hysteria* is the old name for it, the sentence should use *formerly known as*.

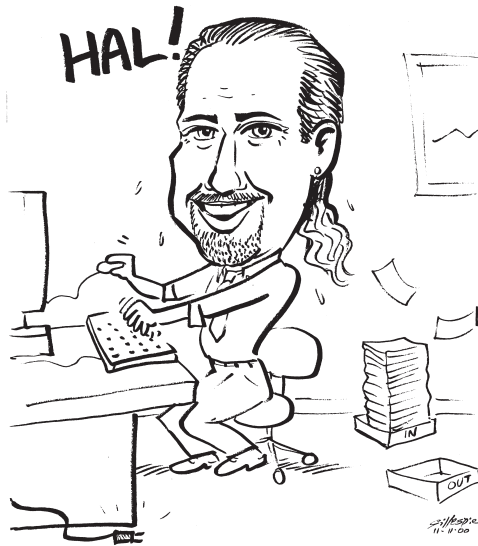
- “City of Walker v. State of La., \* \* \* Eustis Engineering, LLC, *formally known as* Eutis Engineering Service, LLC.” Case caption at 20-01348 (La. 2/9/21), 310 So. 3d 182. The company’s website says “Eustis Engineering L.L.C.” and does not provide a history of name changes; I would assume it once used the word *Services* in its title, and so the caption should read *formerly known as*. The alternate spelling, *Eutis*, appears to be a bonus typo.

- “Avondale’s formal identity is Huntington Ingalls Incorporated – *formally known as* Northrup Grumman Shipbuilding Inc.” *Morgan v. Huntington Ingalls Inc.*, 879 F. 3d 602 (5 Cir. 2018). According to the defendant’s website, Northrup Grumman divested a sector of its company in 2011, with the successor taking the name Huntington Ingalls Inc. Clearly, the sentence should use *formerly known as*. And, the parent company is *Northrop* Grumman – the “u” spelling is another gratuitous typo.

- “Although Officer Green did not specify which statute or ordinance McDaniel had violated, McDaniel was ultimately *formerly charged* with resisting an officer[.]” *McDaniel v. Green*, 99-1087 (La. App. 3 Cir. 12/22/99), 755 So. 2d 942. Think about it: *ultimately* means *at a later time*, and *formerly* means *at an earlier time*; using them together is a plain contradiction (dare we say “oxymoron”?). The writer meant that, despite the charge lodged at the time of arrest, the plaintiff was later (and officially) charged with resisting an officer.

- “The 1965 Hague Service Convention is a treaty that is *formally known as* the Convention on Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters.” *Northshore Reg’l Med. Ctr. LLC v. Dill*, 12-0850 (La. App. 1 Cir. 3/22/13), 115 So. 3d 475. With a long name like that, the treaty was bound to pick up a shorter, punchier, three-word nickname, and that’s exactly what happened. This passage is totally and formally correct.

- “[T]he instrument in other essential respects contains the elements of a negotiable bill or note, [so it] would probably be



treated as negotiable, though *formerly incorrect*.” *Whitney Nat’l Bank v. Cannon*, 52 La. Ann. 1484, 27 So. 948 (1900). The author of this antediluvian opinion (Justice Frank A. Monroe) meant that the promissory note lacked the *formal requirement* for negotiability (it was not made payable to “bearer” or “order”), so it was *formally incorrect*.

**Still one and only?** The Supreme Court recently wrote, “Were the rule otherwise, the better the artist, the finer the writer, the *more unique* his talent, the more easily his voice could be conscripted to disseminate the government’s preferred messages.” *303 Creative LLC v. Elenis*, 143 S. Ct. 2298, 216 L. Ed. 2d 1131 (2023). The adjective used, *unique*, means *one*

*of a kind, the only one there is*. Either it is or it isn’t; how can something be *more unique*?

In casual writing, especially in advertising, *unique* is watered down to mean *distinctive*, *memorable* or *stylish*. This sense creeps into legal writing. “Finally, what makes this case *most unique* is that the aim of the \* \* \* suit from the start was never directed at the servient estate owners[.]” *Corley v. C & J Frye Props. LLC*, 49,969 (La. App. 2 Cir. 8/19/15), 176 So. 3d 439 (dissent). “The anti-stacking statute probably was designed to cover *less unique* situations, but the statute clearly applies here.” *Boullt v. State Farm*, 99-0942 (La. 10/19/99), 752 So. 2d 739 (dissent). The writers could have said *most unusual* or *less complex*.

A leading commentator suggests that in contract writing, *unique* carries the sense of *practically unique*, as “absolute uniqueness is usually too stringent a definition.” He adds that this relaxed usage began in the 1800s, but he suggests, “However old it is, the tendency is worth resisting.” Bryan A. Garner, *A Dict. of Modern English Usage*, 2 ed. (New York: Oxford U. Press, © 1995). If you have the unique opportunity to use this word correctly, don’t pass it up.

**But what?** From an opinion of the La. Supreme Court: “[Defendant] engaged in a *subtle but panoply* of acts from which a jury, when viewing his conduct as a whole, could rationally find his behavior was lewd or lascivious.” *State v. Shaikh*, 16-0750 (La. 10/18/17), 236 So. 3d 1206. More than likely this phrase started out as *subtle but forceful* or *subtle but effective*, the author decided to insert the beautiful word *panoply*, and the change was not cleaned up. Since the author was Justice Per Curiam, perhaps less than the full panoply of care was exercised, but it’s a reminder of the value of proofreading.

**Another one perishes.** This entry deserves mention, after last month’s selection: “The Circuit Parish, St. Landry Parrish, granted motion, and mother and city appealed.” *Gorman v. City of Opelousas*, 13-1734 (La. 7/1/14), 148 So. 3d 888 (Case background provided by Westlaw / Thomson Reuters). The first time, they meant *District Court* (what is a “Circuit Parish”?), but at least they spelled *Parish* right. Misspelling it three words later is like catnip for nitpickers!



# En Banc Procedures in the Second Circuit

by Hal Odom Jr., [rhodom@la2nd.org](mailto:rhodom@la2nd.org)

In the September 2023 installment of *Second Circuit Highlights*, I mentioned the intriguing (and enduring) case of *Clark v. Mangham, Hardy, Rolfs & Abadie*, 55,073 (La. App. 2 Cir. 5/24/23), 362 So. 3d 1053, for its discussion of what did (or did not) constitute a step in the prosecution to avoid abandonment. After the Second Circuit rendered this opinion, the plaintiff, pro se, applied for rehearing, which was denied by a five-judge panel of the court on June 22, 2023. Undaunted, the plaintiff applied for en banc rehearing; the same five-judge panel denied this on August 2, 2023. The question might arise, what does it take to get an en banc hearing in the Second Circuit? And, who decides?

For the most part, en banc is a procedure for election contests. The basic rule is URCA 1-5, “Panels.” This states, in part, “When an appeal is taken from an election case objecting to candidacy or contesting an election, the case shall be heard by the court as directed by law.” It then adds: “The court may sit in panels of more than 3 judges or *en banc* when required by law or when the court deems it necessary to promote justice or expedite the business of the court.” There are two avenues.

**“Directed by law.”** Any election case involving “offices voted on throughout the state or throughout a congressional district, justice of the supreme court, judge of a court of appeal, membership on a state board or commission, district judge, district attorney, or membership in the state legislature” must be heard by the court of appeal en banc. La. R.S. 18:1409 H. This happened in *Morton v. Hicks*, 46,991 (La. App. 2 Cir. 9/28/11), 74 So. 3d 268 (District 2, La. House of Representatives).

Election cases involving smaller offices, like mayors, school boards, police juries or levee districts, often get a five-judge panel, owing to severe time constraints: after rendition of judgment in the district court, the aggrieved party has 24 hours to move for appeal; the district court is to set a return day within three days (often a big rush for the court reporter); once the record is lodged in the court of appeal, arguments must be heard within 48 hours; and then the appellate judgment must be rendered within 24 hours from when arguments ended. La. R.S. 18:1409 D, F. To avoid the delay associated with potential rehearing, election cases are often referred straight to five-judge panels, as in *Nickelson v. Whitehorn*, 55,730 (La. App. 2 Cir. 12/12/23), 375 So. 3d 1132, writ denied, 23-01645 (La. 12/28/23), \_\_\_ So. 3d \_\_\_ (Sheriff of Caddo Parish), *State v. Wilson*, 53,262 (La. App. 2 Cir. 8/27/19), 278 So. 3d 1081 (Mayor of Tallulah), and *Sealy v. Brown*, 53,541 (La. App. 2 Cir. 2/4/20), 291 So. 3d 290 (Parish GOP executive committee). But the big panel is not guaranteed; a regular, three-judge panel heard the recent appeal in *Thompson v. Cockerham*, 55,513 (La. App. 2 Cir. 8/29/23), 370 So. 3d 1221 (Mayor of Jonesboro).

Aside from election cases, the only mandatory en banc is for a motion to recuse a court of appeal judge, La. C.Cr.P. art. 679. The hearing is to be held en banc, “except the judge sought to be recused.” As a practical matter, however, this has not happened. In *Frye v. Ballard*, 54,813 (La. App. 2 Cir. 1/25/23), 356 So. 3d 1191, the Second Circuit affirmed a judgment in favor of the healthcare provider, rejecting the plaintiff’s claim of medical malpractice. Five days later, the plaintiff filed a motion to recuse the judge who had written the opinion. Citing the potential conflict, the other eight judges self-recused, so the Supreme Court appointed a retired justice to hear the plaintiff’s motion. After a hearing, that justice granted the motion to recuse. (As a postscript, the healthcare provider took a writ, and the Supreme Court reversed the recusal order, *Frye v. Ballard*, 23-00317 (La. 3/14/23), 358 So. 3d 36. Perhaps to drive home the point, the Supremes later denied the plaintiff’s writ on the merits, essentially approving the original opinion of the judge sought to be recused.) In effect, despite Art. 679, a motion to recuse a court of appeal judge would probably be assigned to an ad hoc judge.

**Discretionary grounds.** For other cases, the en banc hearing is granted when deemed necessary “to promote justice or expedite the business of the court.” For example, in *State v. Sandifer*, 54,103 (La. App. 2 Cir. 12/15/21), 330 So. 3d 1270, the court sat en banc to take a position on the retroactive application of *Ramos v. Louisiana*, 140 S. Ct. 1390, 206 L. Ed. 2d 583 (2020); it reached the same result ultimately reached by the La. Supreme Court, in *State v. Reddick*, 21-01893 (La. 10/21/22), 351 So. 3d 273 – no retroactivity.

The Second Circuit also has an internal rule, “En Banc Considerations,” adopted June 12, 1997. This states, in part, “When a five-judge rehearing panel considers an application for rehearing that contains a request for *en banc* consideration of the application, \* \* \* the five-judge rehearing panel shall consider the request and recommend to the entire court the panel’s disposition of the request.” In other words, the (already expanded) five-judge panel votes whether to refer the case to all nine judges.

In the case of Mr. Clark, the five-judge panel apparently did not see anything in his application that would have persuaded even one of them to change his or her original opinion. That may well be the ultimate test – whether three of the five would change their votes. En banc hearings remain exceedingly rare, but a request will be considered if Rule 1-5 is satisfied and may be granted, potentially, on a strong showing of necessity to promote justice.



## 2024 Liberty Bell Award Nominations

### Nominate Someone Who Deserves to Be Honored

The Shreveport Bar Association "SBA" Liberty Bell Award will be presented at the Law Day luncheon meeting. A few prior recipients of this prestigious award are Rev. G.S. "Mack" McCarter, Ron Anderson, Mayor George Dement, Donald L. Horton, Rachel Scott, Dr. Phillip A. Rozeman, Dr. Donald G. Mack, Charles E. "Chuck" Meehan, Rose Van Thyn, Simone Hennessee, Common Ground Community, Gingerbread House, The Cara Center, Pastor Brady Blade, Gary Loftin, Col. Steve DePyssler and Arthur Thompson.

To aid in selecting this year's recipient, we are opening the nomination process to all SBA members. Please see the criteria for the award for you to keep in mind when making your nomination:

The SBA Liberty Bell award is presented to a nonlawyer who has demonstrated a commitment to selfless community service which strengthens the effectiveness of the American system of freedom under law. Promotes a better understanding of our form of government, particularly the Bill of Rights. Promotes a greater respect for law and the courts. Promotes a deeper sense of individual responsibility in recognition of the duties as well as rights of citizens. Promotes effective functioning of our institutions of government and promotes a better understanding and appreciation of the Rule of Law.

An individual or organization who meets the above criteria may be nominated. All nominations should be submitted in writing by **Monday, April 1, 2024**, via email to [dsouthern@shreveportbar.com](mailto:dsouthern@shreveportbar.com), hand-delivered or mailed to:

**Ms. Dana Southern**  
**Shreveport Bar Association**  
**625 Texas Street**  
**Shreveport, LA 71101**

When submitting your nominations, please include why you think the person or organization you are nominating should receive this award, and any additional information that would help the committee in its selection process.

**SBA Liberty Bell Award Nomination Form**  
**DEADLINE: Monday, April 1, 2024**

**I would like to nominate the following person or organization to receive the 2024 Liberty Bell Award (please complete as much as possible)**

Name	
Street Address	
City, State, Zip Code	
Home Phone	
Work Phone	
Email	

**Reason they should receive the award (you may attach additional information)**


Name (printed)	
Signature	
Date	





# Pro Bono Project Update

*Do Good Work ~ Hon. Henry A. Politz*

## Pro Bono Project Ask A Lawyer Clinic and Open Cases Volunteers

We want to thank the following attorneys who accepted one or more Pro Bono cases and volunteered at our monthly Ask A Lawyer clinic on February 19, 2024. Without our volunteer attorneys, we could not provide services to our clients who cannot afford legal assistance.

**Christopher Broussard**  
*Attorney at Law*

**Nikki Buckle**  
*Carmouche, Bokenfohr,  
Buckle & Day*

**John Davis**  
*Morris & Dewett*

**Valerie DeLatte Gilmore**  
*Jack Bailey Law Corporation*

**Felicia Hamilton**  
*Attorney at Law*

**Jeff Little**  
*Attorney at Law*

**Heidi Martin**  
*Nickelson Law*

**Taunton Melville**  
*Attorney at Law*

**Holland J. Miciotto**  
*Law Office of  
Holland J. Miciotto LLC*

**Becky Vishnefski**  
*Attorney at Law*

**David White**  
*Attorney at Law*

**Earlnisha Williams**  
*Attorney at Law*



Heidi Martin and John Davis

Our February Ask A Lawyer clinic had 10 volunteer attorneys who saw nearly 30 attendees! It was amazing how they could see so many people in 2 hours. We are so grateful to everyone who made this clinic possible!



Pictured l-r are Taunton Melville, John Davis, Holland Miciotto, Earlnisha Williams, Heidi Martin, Nikki Buckle, Jeff Little, David White and Chris Broussard (not pictured: Valerie DeLatte Gilmore).



Valerie DeLatte Gilmore and Nikki Buckle



The Shreveport Bar Foundation is able to do all that we do because of the support we receive from our grantors, Louisiana Bar Foundation, Acadiana Legal Services Corporation, The Community Foundation, Carolyn W. and Charles T. Beard Family Foundation, First Methodist Church, Grayson Foundation and the SBA Krewe of Justinian.



## Booth-Politz Inn of Court

by Katherine Gilmer, [katherine@gilmergiglio.com](mailto:katherine@gilmergiglio.com)

The Booth-Politz mentorship program strives to ensure that our new members (classified as “Associates”) are paired with active and long-term members of our Inn to encourage our new members’ participation in our Inn, and also to ensure that our new members enjoy themselves and become active and long-term participants.

To that end, several of our more experienced members (classified as “Barristers” and “Masters”) have stepped forward to mentor our newest associate members this year, meeting with them over lunches outside our typical Inn schedule, as well as introducing them to other members at meetings to foster relationships across our Inn.

Our Judicial Masters have hosted several Chambers Luncheons this year. These lunches are held in the judges’ chambers, and are open to all members of our Inn. Groups are usually limited to between six and a dozen members. These smaller group social gatherings really give an opportunity for close interaction among the attendees, and also help to create relationships across practice areas and specialties in our local bar.



Chambers luncheon hosted by Second Circuit Court of Appeal Judge Jeff Cox on February 8, 2024. (l-r, Valerie DeLatte, Judge Cox, Chris Forester, Kenny Haines.)



# Shreveport Bar Association Archives History of the Shreveport Red Mass

by Larry Pettiette, [lpettiette@padwbc.com](mailto:lpettiette@padwbc.com)

In 1992, Janey and Larry Pettiette approached Don Miller, then Shreveport Bar President, requesting consideration of a Red Mass in Shreveport. Janey was president of the Shreveport Bar Auxiliary. We had attended a Red Mass in New Orleans and in Chicago and knew it was held in connection with the opening of the United States Supreme Court in October of each year. Don and his paralegal Trudy Daniel attended a meeting with Monsignor William O'Hanlon, pastor of Holy Trinity Catholic Church, at Don's Seafood. All agreed to plan a Red Mass. Subsequent planning meetings were attended by Bishop William Friend, Monsignor Earl Provenza, Angelo Roppolo, Ron Miciotto, Pastor Brady Blade and Tony Sardisco, at the University Club.

The first Red Mass took place on May 5, 1993. Every Louisiana Supreme Court justice attended including Justice Revis Ortique who spoke. Bishop William Friend presided.

The Mass was a success with participation of the judges, bar and a large number of Catholic and non-Catholic clergy. The Saint Cecilia Choir provided the liturgical music under the direction of Mike Kenney; Zion Baptist Choir under the direction of Brady Blade provided the music before the Mass as well as entrance and recessional hymns.

Over the years, homilists such as Cardinal Edward Egan, of St. Patrick's in New York, Archbishop Thomas Paprocki of Chicago, Bishop Attorney Robert Marshall of Alexandria, South African Bishop Johnson, as well as Supreme Court Justice

Antonin Scalia have attended. The Red Mass Society also sponsored a banquet the evening before the Mass.

Several judges over the years contributed to this ecumenical event but the earliest were: Chief Judge Henry Politz, of the Fifth Circuit; Chief Judge Tom Stagg, of the U.S. District Court; Chief Judge Corky Marvin, of the Second Circuit Court of Appeal; Chief Judge C.J. Bolin, of Caddo District Court; and Chief Justice Pascal C. Calogero Jr., of the Louisiana Supreme Court.

Honorees have included United States Air Force, Louisiana National Guard, Shreveport Fire and Police Officers who died in the line of duty, and Our Lady of Sorrows, Holy Angels residential facility. More recently, recognition has gone to the LSU-HSC COVID Strike Team and to Highland Ministries, as well as other worthy organizations that have made a difference in our community.

From the beginning, a reception following the Mass has been held at the Second Circuit Court of Appeal. From Diana Pratt-Wyatt to Lillian Richie and currently Robin Jones, the clerks of the Second Circuit have accommodated the reception and robing before procession into Holy Trinity, creating many photographic opportunities with the judges before the ceremony visiting, having coffee, and possibly a photograph with a U.S. Supreme Court justice.

## An exciting thirty-year tradition.

This year, for the 30th Red Mass, Cardinal Christopher Pierre, the Papal Nuncio from Rome, will be the celebrant and principal homilist. The Mass will be held on Friday, May 3, 2024. Music from the Zion Baptist Choir will start at 8:30 with the Mass beginning promptly at 9:00 a.m. Reception will follow at the Second Circuit Court of Appeal.

Consider supporting this long-standing tradition of our bar.

The 2024 Archives Committee members are Chairman Larry Pettiette, Herschel Richard, Tommy Johnson, Ben Politz, Zelda Tucker, Mark Odom, Chris Slatten, Taunton Melville, Matt Smith, and Valerie DeLatte Gilmore.



Sheriff Steve Prator and Chief Judge of the Fifth Circuit Henry Politz



US District Court Chief Judge Tom Stagg  
Second Circuit Court of Appeal Chief Judge



Holy Angels Sisters processing in with  
Supreme Court Justice Scalia



Don Miller and Bob Pugh



Zion Baptist Choir



Zelda Tucker and Mike Hubley



Larry and Janey Pettiette



Judge Ramon Lafitte





**Catholic clergy including Murray Clayton and Bishop Friend**



**Angelo Ropollo and Pastor Blade**



**Arthur Carmody**



**Bill Flanagan, Zelda Tucker, Judge Jeanette Garrett, and Monsignor Earl Provenza**



**Bishop Michael Duca, and Bishop Sam Jacobs**



**Judge Tom Stagg and Justice Antonin Scalia**



**Judge James Clark, Judge Roy Payne, Judge Frank Thaxton, Judge Roy Brun and Judge John Mosely**



**Chief Justice Catherine Kimball**



**Chief Justice Pascal Calogero and Don Miller**



**First Red Mass, May 1993  
Louisiana Supreme Court  
Justices Pascal Calogero,  
Revis Ortique, Pike Hall,  
(Chief) John Dixon, Katherine  
Kimball, Jacques Weiner  
(SCA), Judge Gene Bryson (1st  
JDC), Judge Gay Gaskins (SCC)**



**Local judges including First JDC Chief Judge C.J. Bolin**



**Larry Pettiette, Craig Marcotte, and Ron Miciotto**



# FEBRUARY LUNCHEON





# HIGHLIGHTS



**SHREVEPORT BAR ASSOCIATION**

# **PICKLEBALL TOURNAMENT**

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anyone 21  
or older

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*1000 Bert Kouns Industrial Loop*

**\$75**  
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**FRIDAY, MAY 17**  
**10:00 AM**

*Online Registration available, Visit Our Website :  
[shreveportbar.com/sba-pickleball-tournament/](http://shreveportbar.com/sba-pickleball-tournament/)*

## **SHREVEPORT BAR ASSOCIATION PICKLEBALL TOURNAMENT**

*Registration fee includes the following:*

*Entry fee into the tournament*

*Player gift*

*Lunch, snacks and beverages*

*Gold, Bronze and Silver Medals will be awarded immediately after the tournament*

### **REGISTRATION FORM**

Name: \_\_\_\_\_ Skill Level: (please circle): Beginner Advanced

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**Registration Fee: \$75**

Make check payable to SHREVEPORT BAR ASSOCIATION and mail to:

2024 SBA Pickleball Tournament, 625 Texas Street, Shreveport, LA 71101

Email questions to Dana at [dsouthern@shreveportbar.com](mailto:dsouthern@shreveportbar.com) or call 318 703-8373.





SBA Membership  
Renewal Forms  
have been mailed.  
Please renew by  
March 28, 2024



# Welcome New Members

**Sarah Elizabeth Hyde**  
*Cook, Yancey, King & Galloway*

**Gary Austin Love**  
*Cook, Yancey, King & Galloway*

**David Tullis**  
*Second Circuit Court of Appeal*



## PICKLEBALL CLINIC FOR BEGINNERS

 **THURSDAY**  
2 May, 2024

 **4:30 PM  
AND  
5:30 PM**

 **1000 Bert Kouns Industrial Loop  
Shreveport, LA**

**\$25**

 **Call or**  **Text** **Jill Zimmer  
318-751-5727**

# YOUR LEGAL LEGACY

**BE IT BIG OR SMALL, YOUR ACTIONS MATTER!**

Your gift to the Shreveport Bar Association or the Shreveport Bar Foundation can ensure the long-term sustainability of these organizations and allow them to serve the local bar and community for years to come. The SBA is heavily dependent on CLE revenue, and competition from free classes puts that at risk. Your generous donation or bequest will help the SBA and SBF maintain an executive director, publish The Bar Review, and provide pro bono legal services to domestic violence victims and other deserving clients.

Please remember the SBA and SBF in your planned giving to show your support for our organizations and the services they provide. Your generosity is appreciated.

Contact any of us if you would like to discuss ways to best help our organizations.

Dana Southern  
SBA/SBF Executive Director  
(318) 222-3643 Ext. 3  
dsouthern@shreveportbar.com

Kenny Haines  
SBA President  
(318) 222-2100  
haines@weems-law.com

Drew Martin  
SBF President  
(318) 424-4342  
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# CLASSIFIEDS

**Brief writing/legal research**

Columbia Law School graduate; former U.S. 5th Circuit staff attorney; former U.S. District Court, Western District of Louisiana, law clerk; more than 20 years of legal experience; available for brief writing and legal research; references and résumé available on request. Appellate Practice specialist, certified by the Louisiana Board of Legal Specialization. Douglas Lee Harville, [lee.harville@theharvillelawfirm.com](mailto:lee.harville@theharvillelawfirm.com), (318)470-9582.

The Louisiana Department of Justice, Office of Attorney General Liz Murrill, Litigation Division, seeks applications for Assistant Attorney General in the Shreveport office. The Litigation Division defends the State and State agencies and employees in tort suits, including Civil Rights, General Liability, Medical Malpractice, Road Hazard, Transportation, and Workers' Compensation. Applicants must possess current Louisiana license. Excellent benefits includes health insurance, retirement, and free CLEs. Forward cover letter and resume to Holli Yandle at [yandleh@ag.louisiana.gov](mailto:yandleh@ag.louisiana.gov).

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ATTORNEYS AT LAW

**Timothy R. Fischer, APLC**

**Chris A. Procell\***

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## \*2024 SBA MEMBERSHIP LUNCHEONS

12:00 Noon at the Petroleum Club (15th Floor)

### \*MARCH 27

*Speaker: Chief Geoffrey StandingBear,  
Principal Chief of the Osage Nation and  
source for the book Killers of the Flower  
Moon*

### \*MAY 1

**LAW DAY LUNCHEON**

*Speaker: Mayor Tom Arceneaux*

### MAY 3

**30<sup>TH</sup> ANNUAL RED MASS**

*Music 8:30 a.m. Mass 9:00 a.m.  
Holy Trinity Catholic Church*

### MAY 7

**Give for Good Campaign Event**

*Locations: 7:30-11:30 am  
@ Lowder Baking Company,  
11:00am-1:00 pm @ The Glass Hat,  
5:00-7:00 pm @ Casa Jimador*

### \*JUNE 26

*Speaker: TBD*

### \*SEPTEMBER 25

**SPEAKER: MIKE RUBIN, MCGLINCHEY STAFFORD  
PLLC**

## AMAZON WISH LIST

The Shreveport Bar Foundation is excited to announce the launch of its Wish List program for the Pro Bono Project, Legal Representation for Victims of Domestic Violence programs, and the Shreveport Bar Center through Amazon. This new wish list program allows our supporters to purchase supplies and other items needed to run our programs. This can range from pens (for the AAL clinics) to soap and paper products (for the building)! [Check out the full list of options!](https://www.amazon.com/hz/wishlist/ls/3EW9JTZSJNVEZ?ref=wl_share)

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Or scan the QR code.



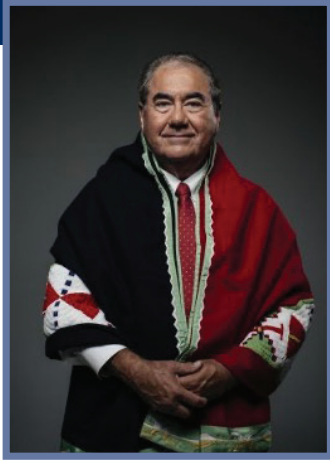


## SBA Luncheon Meeting – March 27

*Petroleum Club (15th Floor) – Buffet opens at 11:30 a.m. Program and Speaker from 12:00 Noon to 1:15 p.m.*

*\$50.00 for SBA members includes lunch and one hour of CLE credit or \$30 for lunch only.*

*\$60.00 for non-SBA members includes lunch one hour of CLE credit or \$35 for lunch only.*



Geoffrey M. StandingBear

**When:** 12:00 Noon on Wednesday, March 27

**Where:** Petroleum Club (15th floor)

**Featuring:** Geoffrey M. StandingBear, Principal Chief of the Osage Nation and source for the book *Killers of the Flower Moon*

*This presentation is eligible for 1 hour CLE credit.*

### ABOUT THE TOPIC

Be present to learn how the Osage Nation has progressed from the days of starvation and disease in the late 1800s, which also saw the forced dismantling of forms of government, the Osage Reign of Terror of the 1920s, through gaming, and now the quest for self-sufficiency as a Nation, not as a racial minority.

Please join us on Wednesday, March 27, as we welcome Geoffrey StandingBear, the Principal Chief of the Osage Nation and source for the book *Killers of the Flower Moon*. He is the great-grandson of Osage Principal Chief Fred Lookout. Now, in his third term as Osage Nation Principal Chief, he continues the work of protecting and enhancing the Osage culture, language and lands.

Before his election, Chief StandingBear practiced law for 34 years. He concentrated on federal Indian law, receiving national recognition by Best Lawyers in America, Oklahoma Super Lawyers, and a listing with Chambers and Partners. He served as Assistant Principal Chief of the Osage Tribe from 1990 through 1994 and was a member of the Osage Nation Congress from 2010 to 2014. While a practicing lawyer, he was involved in the first Indian gaming cases in Oklahoma, representing the Muscogee Creek Nation, Seneca-Cayuga Tribe and several other tribes. He also was General Counsel to the Oklahoma Indian Gaming Association.

In 2017, Chief Standing Bear was recognized by Oklahoma Magazine as an Oklahoman of the Year for his leadership of the Osage Nation. He graduated from the University of Oklahoma and received his Juris Doctor degree from the University of Tulsa.

He sees the Osage Nation expanding its land base, maintaining its vibrant traditions, and returning the Osage language to daily use. His belief is that this and much more can be done through the power of the Osage child, and it is, therefore, the duty of all his people to protect and nurture the children of the Nation. Chief StandingBear and his wife Julie have four children and eight grandchildren.

You may confirm your reservation(s) by email to [dsouthern@shreveportbar.com](mailto:dsouthern@shreveportbar.com) or by calling 222-3643 Ext 2. Please remember to call and cancel if you're unable to attend.

**The SBA pays for each reservation made.**

**No-shows will be invoiced.**