

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

Rodney Nash v. Crown Oilfield Services, Inc. and Starstone National Insurance Company

No. 2026 CW 0272, Louisiana Court of Appeal, First Circuit (May 5, 2026)

SUMMARY

The Louisiana Court of Appeal, First Circuit denied supervisory writs sought by Crown Oilfield Services, Inc. and Starstone National Insurance Company in a workers' compensation matter. The majority concluded that the criteria under *Herlitz Construction Co., Inc. v. Hotel Investors of New Iberia, Inc.* were not met, while Judge Edwards dissented and would have found good cause under La. R.S. 23:1121(B)(1) to refuse authorization for the claimant's choice of an initial orthopedic specialist.

CASE DETAILS

|                       |                                                                                                                                                                                                                         |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Louisiana Court of Appeal, First Circuit                                                                                                                                                                                |
| WRITING FOR THE COURT | Miller, J.; Edwards, J.; Fields, J.                                                                                                                                                                                     |
| JURISDICTION          | Louisiana Court of Appeal, First Circuit                                                                                                                                                                                |
| DECIDED               | May 5, 2026                                                                                                                                                                                                             |
| DOCKET                | 2026 CW 0272                                                                                                                                                                                                            |
| DISPOSITION           | writ_denied                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Defendants applied for supervisory writs from a ruling of the Office of Workers' Compensation, District 9, concerning plaintiff's motion for authorization of an initial evaluation with his chosen orthopedic surgeon. |
| STANDARD OF REVIEW    | Supervisory-writ review under the criteria set forth in <i>Herlitz Construction Co., Inc. v. Hotel Investors of New Iberia, Inc.</i> , 396 So. 2d 878 (La. 1981) (per curiam).                                          |
| PRECEDENTIAL VALUE    | Unknown                                                                                                                                                                                                                 |
| PARTIES               | Crown Oilfield Services, Inc., Starstone National Insurance Company v. Rodney Nash                                                                                                                                      |

TOPICS

- writ of certiorari
- workers compensation
- appellate procedure

## PRACTICE AREAS

workers compensation

appellate procedure

## QUESTIONS PRESENTED

1. Whether the defendants established grounds for supervisory-writ relief from the Office of Workers' Compensation ruling.
2. Whether the employer showed good cause under La. R.S. 23:1121(B)(1) to refuse authorization for the claimant's choice of an initial specialist.

## HOLDINGS

1. The supervisory writ was denied because the criteria set forth in *Herlitz Construction Co., Inc. v. Hotel Investors of New Iberia, Inc.* were not met.

## KEY QUOTATIONS

*“The criteria set forth in Herlitz Construction Co., Inc. v. Hotel Investors of New Iberia, Inc., 396 So.2d 878 (La. 1981) (per curiam) are not met.”* (unpaginated)

*“Based on the facts and circumstances of this case, defendant met its burden of showing “good cause” for its refusal in accordance with La. R.S. 23:1121(B) (1).”* (unpaginated)

## FACTUAL BACKGROUND

According to the dissent, Rodney Nash reported an accident to Crown Oilfield Services' Health and Safety Manager on October 13, 2025, stating that it occurred on October 11, 2025. After reviewing video footage with Nash and failing to identify an accident, Nash changed the alleged accident date to October 1, 2025. The manager stated that the footage for that date also did not depict an accident.

## PROCEDURAL HISTORY

The Office of Workers' Compensation, District 9, issued a ruling adverse to Crown Oilfield Services, Inc. and Starstone National Insurance Company. Defendants sought supervisory writs in the Louisiana Court of Appeal, First Circuit. The majority denied the writ, while Judge Edwards dissented and would have reversed the workers' compensation ruling and denied plaintiff's motion.

## DISPOSITION

writ\_denied

## CASES CITED

- *Herlitz Construction Co., Inc. v. Hotel Investors of New Iberia, Inc.*, 396 So. 2d 878 (La. 1981) (per curiam)

## OPINION

PER CURIAM.

STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT RODNEY NASH NO. 2026 CW 0272 VERSUS CROWN OILFIELD SERVICES, MAY 05, 2026 INC. Tn Re: Crown Oilfield Services, Inc. and Starstone National Insurance Company, applying for supervisory writs, Office of Workers' Compensation, District 9, No. 25- 06504. BEFORE: MILLER, EDWARDS, AND FIELDS, JJ. WRIT DENIED.

The criteria set forth in *Herlitz Construction Co., Inc. v. Hotel Investors of New Iberia, Inc.*, 396 So.2d 878 (La. 1981) (per curiam) are not met. SMM WEF Edwards, J., dissents and would grant the writ. Under La. R.S. 23:1121(B) (1), an employer may refuse to authorize a claimant from exercising his right to choose an initial specialist in any field upon a showing of “good cause” for the refusal.

In this case, defendant, Crown Oilfield Services, Inc., submitted an affidavit of its Health and Safety Manager, Chet Lambert, attesting that plaintiff, Rodney Nash, first reported an accident to him on October 13, 2025, which plaintiff asserted occurred on October 11, 2025.

After Lambert and plaintiff reviewed video footage and were unable to identify an accident, plaintiff changed the date of the accident to October 1, 2025. Lambert also reviewed the footage for that date and attested it did not depict an accident. Based on the facts and circumstances of this case, defendant met its burden of showing “good cause” for its refusal in accordance with La. R.S.

23:1121(B) (1). Accordingly, I would reverse the ruling of the Office of Workers’ Compensation and deny plaintiff’s Motion for Authorization of Initial Evaluation With Claimant’s Choice of Orthopedic Surgeon. Nn OF APPEAL, FIRST CIRCUIT | Lid dy AY, Ono pa “st EPUTY CLERK OF COURT. FOR THE COURT