

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

C.A. Altazan, Jr. and Theresa Altazan v. Craig H. Gosserand,
Gosserand Construction, L.L.C. and Mogoss Construction, L.L.C.

Altazan · No. 2025 CW 1069 · Decided January 23, 2026

SUMMARY

The Louisiana First Circuit declined to consider Western World Insurance Company's supervisory writ application as untimely. The court held that a motion for new trial directed at an interlocutory partial default judgment was procedurally improper and did not interrupt the thirty-day period for seeking supervisory writs.

CASE DETAILS

COURT	Louisiana Court of Appeal, First Circuit
WRITING FOR THE COURT	McClendon, C.J.; Greene, J.; Stromberg, J.
JURISDICTION	Louisiana Court of Appeal, First Circuit
DECIDED	January 23, 2026
DOCKET	2025 CW 1069
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Western World Insurance Company applied for supervisory writs from an interlocutory ruling in an action in which the district court had granted the plaintiffs' motion for default judgment.
STANDARD OF REVIEW	The court applied the timeliness requirements governing applications for supervisory writs under Rule 4-3 of the Uniform Rules of Louisiana Courts of Appeal.
PRECEDENTIAL VALUE	unknown
PARTIES	Western World Insurance Company v. C.A. Altazan, Jr., Theresa Altazan, Craig H. Gosserand, Gosserand Construction, L.L.C., Mogoss Construction, L.L.C.

TOPICS

- writ of certiorari
- appellate procedure
- motion for new trial
- default judgment
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a motion for new trial may be taken from a partial, interlocutory ruling granting a motion for default judgment.
2. Whether a procedurally improper motion for new trial seeking reconsideration of an interlocutory ruling interrupts the thirty-day period for filing an application for supervisory writs under Rule 4-3.

HOLDINGS

1. A motion for new trial pertains only to final judgments; therefore, a motion for new trial directed at the partial, interlocutory grant of a motion for default judgment is procedurally improper.
2. A motion for new trial seeking reconsideration of an interlocutory ruling cannot interrupt the thirty-day period for filing an application for supervisory writs under Rule 4-3 of the Uniform Rules of Louisiana Courts of Appeal.

KEY QUOTATIONS

“WRIT NOT CONSIDERED.”

“This writ application is untimely.”

“Most significantly, the filing of a motion for new trial seeking reconsideration of an interlocutory ruling cannot interrupt the thirty-day period for filing an application for supervisory writs established by Rule 4-3 of the Uniform Rules of Louisiana Courts of Appeal.”

FACTUAL BACKGROUND

The district court granted the plaintiffs' motion for default judgment, but the ruling was partial and therefore interlocutory. Notice of that judgment was mailed on April 22, 2025. Western World filed a motion for new trial on April 28, 2025, and later filed its notice of intent on October 2, 2025, more than thirty days after notice of judgment.

PROCEDURAL HISTORY

The Eighteenth Judicial District Court for the Parish of West Baton Rouge granted the plaintiffs' motion for default judgment and mailed notice of the judgment on April 22, 2025. Western World filed a motion for new trial on April 28, 2025, and filed its notice of intent on October 2, 2025. The Louisiana Court of Appeal, First Circuit declined to consider the writ application as untimely because the motion for new trial was procedurally improper and did not interrupt the thirty-day period for seeking supervisory writs.

DISPOSITION

writ_denied

CASES CITED

- Allstate Insurance Co. v. Mohamadian, 2009-1126 (La. App. 1st Cir. 2/17/10), 35 So. 3d 1118, 1121
- Carter v. Rhea, 2001-0234 (La. App. 4th Cir. 4/25/01), 785 So. 2d 1022, 1025

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