

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

**Crystal Domangue v. Houston Specialty Insurance Company, Gulf
Inland Contractors, Inc. and Armand Vincent**

2025 CW 0951 · No. 2025 CW 0951 · Decided January 29, 2026

SUMMARY

The Louisiana Court of Appeal, First Circuit, granted supervisory writs and vacated the trial court's May 28, 2025 judgment ordering Crystal Domangue to undergo an additional medical examination with a neuropsychologist. The court held that the defendants failed to establish good cause under Louisiana Code of Civil Procedure article 1464 and failed to show that Domangue had provided notice of an intent to use a neuropsychologist. Judge Theriot concurred in the result, while Judge Stromberg dissented and would have denied the writ.

OPINION

PER CURIAM.

STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT CRYSTAL DOMANGUE NO. 2025 CW 0951 VERSUS PAGE 1 OF 2 HOUSTON SPECIALTY INSURANCE COMPANY, GULF INLAND CONTRACTORS, INC., AND JANUARY 29, 2026 ARMAND VINCENT In Re: Crystal Domangue, applying for supervisory writs, 23rd Judicial District Court, Parish of Assumption, No. 38951. BEFORE: McCLENDON, C.J., THERIOT, MILLER, GREENE AND STROMBERG, JJ. WRIT GRANTED.

The trial court's May 28, 2025 judgment which granted the "Motion for Order for an Additional Medical Examination with a Neuropsychologist" filed by defendants, Houston Specialty Insurance Co., Gulf Inland Contractors, Inc., and Armand Vincent, is vacated. La. Code Civ. P. art. 1464 allows the court to order a party to submit to an additional medical opinion regarding an examination by a vocational rehabilitation expert or a non-physician licensed clinical psychologist, for good cause and provided the party has given notice of intention to use such an expert.

See *Bethly v. ACE Am. Ins. Co.*, 2021-1204 (La. App. 1st Cir. 10/21/21), 2021 WL 4902381 (unpublished), writ dismissed as moot, 2021-01746 (La. 2/26/22), 333 So.3d 1251. No evidence was admitted at the hearing, and accordingly, we find defendants failed to establish good cause for the examination as required by La. Code Civ. P. art. 1464 and failed to show that plaintiff had given notice of her intent to use a neuropsychologist.

See Odom v. Flores, 2018-1669 (La. App. 1st Cir. 2/8/19), 2019 WL 519879 (unpublished). PMc SMM HG Theriot, J., agrees with vacating the trial court's judgment which granted the "Motion for Order for an Additional Medical Examination with a Neuropsychologist" filed by defendants, Houston Specialty Insurance Co., Gulf Inland Contractors, Inc., and Armand Vincent.

The trial court's judgment granted a motion for an additional medical examination by a "neurologist", while the substance of the motion requested an examination with a neuropsychologist. No one requested nor was any evidence admitted to support plaintiff being subjected to an additional medical examination by a neurologist.

Therefore, the trial court's May 28, 2025 judgment which granted an additional medical examination with a neurologist should be vacated. STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT NO. 2025 CW 0951 PAGE 2 OF 2 JANUARY 29, 2026 Stromberg, J., dissents and would deny the writ. yf COURT OF APPEAL, FIRST CIRCUIT A TY CLERK OF COURT) FOR THE COURT