

LOUISIANA COURT OF APPEAL, SECOND CIRCUIT

Charles B. Racer v. National General Insurance Company

No. 56,859-CA · No. 56,859-CA · Decided March 11, 2026

SUMMARY

The Louisiana Court of Appeal, Second Circuit, reviewed National General Insurance Company's appeal from a default judgment in favor of Charles B. Racer. Based on the parties' joint request and its own review, the court reversed the judgment and remanded the case for further proceedings, with each party bearing its own costs.

CASE DETAILS

COURT	Louisiana Court of Appeal, Second Circuit
WRITING FOR THE COURT	Ellender, J.; Stephens, J.; Hunter, J.
JURISDICTION	Louisiana Court of Appeal, Second Circuit
DECIDED	March 11, 2026
DOCKET	56,859-CA
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	National General Insurance Company appealed a default judgment entered in favor of Charles B. Racer. After the appeal was lodged and docketed for oral argument, the parties jointly moved to reverse the judgment and remand the case.
STANDARD OF REVIEW	The appellate court conducted its own review of the record to determine whether the law and evidence supported reversal and remand.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	National General Insurance Company v. Charles B. Racer

TOPICS

- default judgment
- appellate procedure
- civil procedure
- insurance
- remedies

PRACTICE AREAS

- insurance
- civil procedure
- appellate procedure
- remedies

QUESTIONS PRESENTED

1. Whether the default judgment should be reversed and the case remanded when both parties jointly requested that relief and the appellate court's review of the record confirmed that the law and evidence supported it.

HOLDINGS

1. The default judgment was reversed and the case was remanded for further proceedings because the appellate court's review confirmed that the law and evidence supported the parties' requested relief.

KEY QUOTATIONS

“Consequently, the default judgment is hereby reversed and the case is remanded to the Fourth Judicial District Court for further proceedings, with each party to bear its own costs.”

FACTUAL BACKGROUND

The underlying dispute resulted in a default judgment in favor of Charles B. Racer against National General Insurance Company. National General appealed the judgment. While the appeal was pending and after it was docketed for oral argument, the parties agreed that the appeal had merit and jointly requested reversal and remand.

PROCEDURAL HISTORY

The Fourth Judicial District Court for the Parish of Ouachita entered a default judgment in favor of Racer. National General appealed, and after the appeal was docketed, both parties agreed that the appeal had merit and requested reversal and remand. The appellate court independently reviewed the record, granted the requested relief, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case is remanded to the Fourth Judicial District Court for further proceedings. Each party is to bear its own costs.

OPINION

ELLENDER, J.

Judgment rendered March 11, 2026. Application for rehearing may be filed within the delay allowed by Art. 2166, La. C.C.P. No. 56,859-CA COURT OF APPEAL SECOND CIRCUIT STATE OF LOUISIANA ***** CHARLES B. RACER Plaintiff-Appellee versus NATIONAL GENERAL Defendant-Appellant INSURANCE COMPANY ***** Appealed from the Fourth

Judicial District Court for the Parish of Ouachita, Louisiana Trial Court No. 20242146 Honorable Jefferson B. Joyce, Judge ***** RICHIE, RICHIE & OBERLE, LLP Counsel for Appellant By: Paul D. Oberle, Jr. Byron A. Richie GREGORY G. ELIAS Counsel for Appellee ***** Before STEPHENS, HUNTER, and ELLENDER, JJ. NOT DESIGNATED FOR PUBLICATION Rule 2-16.3, Uniform Rules, Courts Of Appeal ELLENDER, J. National General Insurance Company appealed a default judgment in favor of Charles B. Racer, rendered by the Fourth Judicial District Court.

After the matter was lodged and docketed for oral argument, the parties advised the court they were now in agreement that the appeal had merit, and the judgment should be reversed. Since the case did not meet the criteria for dismissal under URCA Rule 11, the parties filed a joint motion to reverse the judgment and remand. Our own review of the record confirms the law and evidence support this requested relief.

Consequently, the default judgment is hereby reversed and the case is remanded to the Fourth Judicial District Court for further proceedings, with each party to bear its own costs. JUDGMENT REVERSED AND CASE REMANDED.