

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

Logan Doucet v. CMS Management, LLC of Mississippi and
Nicholson South Partnership in Commendam

No. 2025 CW 0881 (La. Ct. App. 2026) · No. 2025 CW 0881 · Decided February 18, 2026

SUMMARY

The Louisiana Court of Appeal, First Circuit granted supervisory writs and reversed the district court's denial of summary judgment. The court held that the defendants met their initial burden by demonstrating a lack of factual support for an unreasonably dangerous condition and actual or constructive notice, while the plaintiff failed to establish a genuine issue of material fact. The defendants' motion for summary judgment was granted, and the plaintiff's claims were dismissed.

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	February 18, 2026
DOCKET	2025 CW 0881
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Defendants applied for supervisory writs after the Nineteenth Judicial District Court denied their motion for summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when the evidence shows that there is no genuine issue of material fact and the mover is entitled to judgment as a matter of law. Under Louisiana Code of Civil Procedure article 966, once the mover establishes an absence of factual support for an essential element of the opposing party's claim, the burden shifts to the opposing party to produce factual support showing a genuine issue of material fact.
PRECEDENTIAL VALUE	unpublished
PARTIES	CMS Management, LLC of Mississippi, Nicholson South Partnership in Commendam v. Logan Doucet

TOPICS

summary judgment

premises liability

writ of certiorari

appellate procedure

civil procedure

PRACTICE AREAS

civil procedure

premises liability

appellate procedure

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment because the evidence lacked factual support for an unreasonably dangerous condition on their premises and for defendants' actual or constructive notice of that condition.

HOLDINGS

1. Defendants were entitled to summary judgment because they met their initial burden by showing a lack of factual support for the existence of an unreasonably dangerous condition and actual or constructive notice, and Doucet failed to produce sufficient factual support to establish a genuine issue of material fact on those elements.

KEY QUOTATIONS

“A motion for summary judgment shall be granted where the evidence demonstrates that there is no genuine issue of material fact, and the mover is entitled to judgment as a matter of law.” (opinion at 1)

“Accordingly, defendant's motion for summary judgment is granted and the claims asserted by plaintiff, Logan Doucet, against defendants, CMS Management, LLC of Mississippi and Nicholson South Partnership in Commendam, are dismissed.” (opinion at 1)

FACTUAL BACKGROUND

Doucet asserted claims against CMS Management, LLC of Mississippi and Nicholson South Partnership in Commendam arising from an allegedly unreasonably dangerous condition on defendants' premises. Defendants moved for summary judgment, arguing that the evidence lacked factual support for the existence of an unreasonably dangerous condition and for actual or constructive notice. The appellate court concluded that Doucet failed to produce sufficient factual support to create a genuine issue of material fact on those necessary elements.

PROCEDURAL HISTORY

The district court denied defendants' motion for summary judgment in an August 18, 2025 judgment. Defendants sought supervisory writs from the Louisiana Court of Appeal, First Circuit. The appellate court granted the writ, reversed the district court's judgment, granted summary judgment for defendants, and dismissed Doucet's claims.

DISPOSITION

writ_granted

OPINION

PER CURIAM.

STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT LOGAN DOUCET NO. 2025 CW 0881 VERSUS CMS MANAGEMENT, LLC OF MISSISSIPPI AND NICHOLSON SOUTH PARTNERSHIP IN FEBRUARY 18, 2026 COMMENDAM In Re: CMS Management, LLC of Mississippi and Nicholson South Partnership in Commendam, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. 739774.

BEFORE: MILLER, EDWARDS, AND FIELDS, JJ. WRIT GRANTED. The district court's August 18, 2025 judgment denying the motion for summary judgment filed by defendants, CMS Management, LLC of Mississippi and Nicholson South Partnership in Commendam, is reversed. A motion for summary judgment shall be granted where the evidence demonstrates that there is no genuine issue of material fact, and the mover is entitled to judgment as a matter of law.

La. Code Civ. P. art. 966(A) (3). As the party moving for summary judgment, defendant sustained its initial burden of proof by showing ea lack of factual support concerning the existence of an unreasonably dangerous condition on defendant's property and actual or constructive notice of defendant.

The burden then shifted to plaintiff to produce factual support sufficient to establish the existence of a genuine issue of material fact as to the existence of an unreasonably dangerous condition on defendant's premises, and whether defendant had actual or constructive notice of the condition. Plaintiff failed to produce factual support sufficient to show a genuine issue of material fact as to these necessary elements of her claim.

Accordingly, defendant's motion for summary judgment is granted and the claims asserted by plaintiff, Logan Doucet, against defendants, CMS Management, LLC of Mississippi and Nicholson South Partnership in Commendam, are dismissed. SMM BDE "COURT OF APPEAL, FIRST CIRCUIT ~ DEPUTY CEERR OF COURS \ FOR THE COURT