

LOUISIANA COURT OF APPEAL, SECOND CIRCUIT

Jason Leteff v. Estate of Trebor Yocum and GEICO Casualty Company

No. 56,672-CA · No. 56,672-CA · Decided February 25, 2026

SUMMARY

The Louisiana Second Circuit affirmed the dismissal of Donald Coleman's intervention claim against the Estate of Trebor Yocum and GEICO Casualty Company on prescription grounds. The court held that Coleman's workers' compensation filing and GEICO's payment to the workers' compensation carrier occurred after the one-year prescriptive period for his tort claim had expired and therefore did not interrupt or revive prescription.

CASE DETAILS

COURT	Louisiana Court of Appeal, Second Circuit
WRITING FOR THE COURT	Stone, J.; Pitman, J.; Marcotte, J.
JURISDICTION	Louisiana Court of Appeal, Second Circuit
DECIDED	February 25, 2026
DOCKET	56,672-CA
DISPOSITION	affirmed
PROCEDURAL POSTURE	Donald Coleman appealed from a judgment of the Fifth Judicial District Court for Franklin Parish sustaining GEICO Casualty Company's peremptory exception of prescription and dismissing Coleman's intervention claims arising from a motor vehicle accident.
STANDARD OF REVIEW	The standard of review depends on whether evidence was introduced at the hearing on the exception of prescription. If no evidence was introduced, the appellate court decides the exception based on the facts alleged in the petition, accepting those allegations as true, and reviews whether the trial court was legally correct.
PRECEDENTIAL VALUE	published
PARTIES	Donald Coleman v. GEICO Casualty Company, Estate of Trebor Yocum, Jason Leteff

TOPICS

statute of limitations

civil procedure

appellate procedure

insurance

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PRACTICE AREAS

civil procedure

appellate procedure

torts

insurance

QUESTIONS PRESENTED

1. Whether Coleman's petition in intervention was prescribed under the one-year prescriptive period applicable to the accident.
2. Whether Coleman's alleged workers' compensation Form 1008 filing interrupted prescription as to his tort claims against GEICO and the Estate of Trebor Yocum.
3. Whether GEICO's payment to Travelers for a workers' compensation lien constituted an acknowledgment of a debt to Coleman that interrupted prescription.
4. Whether the district court properly sustained GEICO's peremptory exception of prescription.

HOLDINGS

1. An interruptive event occurring after the prescriptive period has run cannot interrupt or revive the prescribed action.
2. Coleman's alleged workers' compensation filing did not interrupt prescription of his tort claims because it occurred after the tort claims had already prescribed.
3. GEICO's payment to Travelers for reimbursement of a workers' compensation lien was not an acknowledgment of a debt owed to Coleman and did not interrupt prescription of Coleman's tort claims.
4. The district court correctly sustained GEICO's peremptory exception of prescription and dismissed Coleman's claims.

KEY QUOTATIONS

“Jurisprudence has generally held that once prescription has run, a tort action is extinguished and cannot be revived.” (5)

“Receipt of this payment was not synonymous with acknowledging a debt owed to Coleman.” (5)

FACTUAL BACKGROUND

On November 29, 2021, Donald Coleman was a passenger in a vehicle driven by Jason Leteff when the vehicle was rear-ended by a vehicle driven by Trebor Yocum. Coleman and Leteff were employees of the Franklin Parish Police Jury and were acting within the course and scope of their employment. Leteff filed suit on November 15, 2022, but Coleman did not file his workers' compensation claim until December 19, 2023, or his petition in intervention until May 23, 2024. GEICO had previously tendered payment to Travelers Insurance Company for a workers' compensation lien, but the payment was not made to Coleman.

PROCEDURAL HISTORY

Jason Leteff filed a tort action against the Estate of Trebor Yocum and GEICO after a November 29, 2021 automobile accident. Coleman, a passenger in Leteff's vehicle, later filed a petition for intervention on May 23, 2024, asserting claims for his own injuries. The district court sustained GEICO's exception of prescription and dismissed Coleman's claims; the Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- Crowley v. Rojas, 55,616 (La. App. 2 Cir. 5/22/24), 386 So. 3d 1243, writ denied, 24-00792 (La. 10/15/24), 394 So. 3d 822
- Mitchell v. Baton Rouge Orthopedic Clinic, L.L.C., 21-00061 (La. 10/10/21), 333 So. 3d 368
- In re Medical Review Panel of Heath, 21-01367 (La. 6/1/22), 345 So. 3d 992
- Spott v. Otis Elevator Co., 601 So. 2d 1355 (La. 1992)
- Bryant v. Tokio Marine HCC, 54,771 (La. App. 2 Cir. 11/16/22), 351 So. 3d 837
- Hogg v. Chevron USA, Inc., 09-2632 (La. 7/6/10), 45 So. 3d 991
- Williams v. Sewerage & Water Board, 611 So. 2d 1383 (La. 1993)
- Jackson v. Hicks, 96-1270 (La. App. 2 Cir. 8/13/14), 147 So. 3d 283
- Settoon Marine, Inc. v. Great Lakes Dredge & Dock Co., 95-0046 (La. App. 4 Cir. 6/7/95), 657 So. 2d 537
- City of Shreveport v. Black, 50,527 (La. App. 2 Cir. 4/20/16), 194 So. 3d 1132
- Flowers v. U.S. Fidelity & Guaranty Co., 381 So. 2d 378 (La. 1979)
- Crain v. Pletka, 35,636 (La. App. 2 Cir. 1/23/02), 806 So. 2d 950
- Waller v. Stuckey, 613 So. 2d 643 (La. App. 2 Cir. 1993), writ denied, 618 So. 2d 409 (La. 1993)
- Lima v. Schmidt, 595 So. 2d 624 (La. 1992)
- Bahr v. Wood, 507 So. 2d 4 (La. App. 2 Cir. 1987)