

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

Sonja Wideman and Cassandra Lee Patrick v. Gerard Leblanc and Progressive Paloverde Insurance Company

No. 2025 CW 0899 · No. 2025 CW 0899 · Decided June 12, 2026

SUMMARY

The Louisiana Court of Appeal, First Circuit granted supervisory writs and reversed the portion of the trial court's judgment denying defendants' cross-motion for summary judgment. The court held that plaintiffs failed to establish factual support for negligence claims arising from a fatal vehicular accident, including claims concerning headlights and violation of a Tangipahoa Parish no-truck-route ordinance, and dismissed the claims against Dwayne Phillips, MDX Trucking, and Falls Lake National Insurance Company with prejudice.

CASE DETAILS

COURT	Louisiana Court of Appeal, First Circuit
WRITING FOR THE COURT	Hester, J.; Miller, J.; Edwards, J.
JURISDICTION	Louisiana Court of Appeal, First Circuit
DECIDED	June 12, 2026
DOCKET	2025 CW 0899
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Defendants sought supervisory writ review of the trial court's denial of their cross-motion for summary judgment in a wrongful-death negligence action.
STANDARD OF REVIEW	Summary judgment is proper when the movant shows an absence of factual support for any element of the opposing party's claim and the opposing party fails to produce factual support sufficient to establish a genuine issue of material fact.
PRECEDENTIAL VALUE	Unpublished supervisory-writ disposition; precedential status is not stated in the opinion.
PARTIES	Dwayne Phillips, MDX Trucking, Falls Lake National Insurance Company v. Sonja Wideman, Cassandra Lee Patrick

TOPICS

negligence

wrongful death

appellate procedure

statutory interpretation

standard of review

PRACTICE AREAS

negligence

wrongful death

insurance

appellate procedure

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment because plaintiffs lacked factual support for an element of their negligence claims.
2. Whether Phillips's use of low-beam headlights created a genuine issue of material fact concerning negligence under La. R.S. 32:301.
3. Whether Phillips's use of Dummyline Road violated the parish no-truck-route ordinance in a manner that was a cause-in-fact of the accident.

HOLDINGS

1. Defendants were entitled to summary judgment because plaintiffs failed to produce factual support sufficient to establish genuine issues of material fact concerning Phillips's negligence or causation.
2. The evidence did not establish a genuine issue of material fact that Phillips was improperly using his headlights at the time of the accident.
3. Phillips's use of Dummyline Road did not establish a genuine issue of material fact concerning causation because the ordinance's delivery-and-pickup exception contained no temporal element, and Phillips testified that he was using the road to pick up goods for deliveries.

KEY QUOTATIONS

“To prevail on the motion for summary judgment, defendants were required to show an absence of factual support for any of the elements of negligence, which plaintiffs allege resulted in the wrongful death of two juveniles following a vehicular accident on Dummyline Road in Tangipahoa Parish.” (1)

“Violation of a safety statute, even when criminal in nature, does not, in itself, create civil liability.” (2)

“Therefore, we further find plaintiffs failed to produce factual support sufficient to establish genuine issues of fact remain as to whether Phillips was a cause-in-fact of the accident.” (2)

FACTUAL BACKGROUND

Two juveniles riding dirt bikes were killed in a vehicular accident on Dummyline Road in Tangipahoa Parish. Dwayne Phillips testified that he was using low-beam headlights while approximately 70 to 100 yards from the accident location, and plaintiffs' expert stated that low beams were proper when approaching a vehicle from less than 500 feet away. Phillips was driving on Dummyline Road, designated as a no-truck route, to pick up goods from Bracy's Nursery for deliveries the following morning; the court found that the ordinance's delivery exception contained no temporal restriction. The court also relied on testimony that the juveniles wore dark clothing and had no reflectors or lights, and that Gerard LeBlanc was not blinded by Phillips's headlights.

PROCEDURAL HISTORY

Plaintiffs asserted negligence claims arising from a vehicular accident that resulted in the deaths of two juveniles. The Nineteenth Judicial District Court for East Baton Rouge Parish denied the cross-motion for summary judgment filed by Dwayne Phillips, MDX Trucking, and Falls Lake National Insurance Company. The Louisiana Court of Appeal, First Circuit, granted the supervisory writ, reversed that portion of the trial court's judgment, granted defendants' cross-motion, and dismissed plaintiffs' claims against those defendants with prejudice.

DISPOSITION

writ_granted

CASES CITED

- Doe v. McKesson, 2021-00929 (La. 3/25/22), 339 So. 3d 524
- Panzico v. Price, 26,232 (La. App. 2d Cir. 10/26/94), 647 So. 2d 1154, on reh'g, (La. App. 2d Cir. 5/10/95), 658 So. 2d 1310, writ denied, 95-1453 (La. 9/29/95), 660 So. 2d 853
- Armour v. Armour, 541 So. 2d 371 (La. App. 2d Cir.), writ denied, 546 So. 2d 1217 (La. 1989)

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