

STATE OF LOUISIANA
COURT OF APPEAL, SECOND CIRCUIT
430 Fannin Street
Shreveport, LA 71101
(318) 227-3700

No. 56,217-CW

GREGORY BOOKER

VERSUS

CYNTHIA P. MURPHREY AND
THE HANOVER INSURANCE COMPANY

FILED: 10/31/24

RECEIVED: E-FILED 10/31/24

On application of Cynthia P. Murphrey, Hanover Insurance Company and Allmerica Financial Benefit Insurance Company for SUPERVISORY WRIT in No. 81,738 on the docket of the Forty Second Judicial District, Parish of DESOTO, Judge Nicholas E. Gasper.

SEABAUGH & SEPULVADO, LLC
Alan Thomas Seabaugh
Michael Christopher Melerine

Counsel for:
Cynthia P. Murphrey and
The Hanover Insurance
Company and Allmerica
Financial Benefits Insurance

Charles E. Tabor

Counsel for:
Gregory Booker

Before ROBINSON, HUNTER, and ELLENDER, J.J.

WRIT GRANTED AND MADE PEREMPTORY.

Applicants Hanover Insurance Company, Allmerica Financial Benefits Insurance Company and Cynthia P. Murphrey seek supervisory review of a ruling of the trial court denying a motion for continuance of the trial set to begin on November 4, 2024. Considering the timing of both the trial and the legislative session, that this is the first trial setting and striking a rational balance between the respective branches of government at issue, we find that the trial court abused its discretion in denying applicants' motion for continuance. *See also*, Supreme Court Rule XXIX, effective, October 20, 2024. The case should be given priority at the next available jury trial setting. The writ is granted and the judgment of the trial court is reversed. Trial of this matter is hereby continued.

Shreveport, Louisiana, this 1 day of November, 2024.

MLH JLR DJE

FILED: November 1, 2024

Stacy Dwyer
DEPUTY CLERK