

SUPREME COURT OF LOUISIANA

NO. 08-C-1681

THOMAS A. ROBICHAUX

versus

**GRAYLING SHIELDS and ARTHUR MORRELL
IN HIS OFFICIAL CAPACITY AS CLERK OF
CRIMINAL DISTRICT COURT**

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FOURTH CIRCUIT, PARISH OF ORLEANS**

**WRIT GRANTED; JUDGMENT OF THE COURT OF APPEAL
REVERSED AND SET ASIDE; CASE REMANDED TO THE COURT OF
APPEAL, FOURTH CIRCUIT, FOR RECONSIDERATION OF THE APPEAL
OF THOMAS A. ROBICHAUX.** According to Article 2132 of the Louisiana Code
of Civil Procedure, a record on appeal which omits a material part of the trial record
may be corrected even after the record is transmitted. In the case at hand, it is clear
Plaintiff's Exhibits 2 and 3 were admitted into evidence in the trial court and were not
transmitted to the appellate court. Accordingly, we reverse and set aside the July 25,
2008, judgment of the Court of Appeal, Fourth Circuit, in matter No. 2008-CA-0960,
Thomas A. Robichaux vs. Grayling Shields and Arthur Morrell, in his capacity as
Clerk of Criminal District Court. We further order the appellate court to order the
record supplemented with all the evidence properly admitted in the trial court,
particularly Plaintiff's Exhibits 2 and 3, and to reconsider expeditiously, with
preference and priority, the appeal of Thomas A. Robichaux in light of the
supplemented record.

