

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2006 CA 1055

TYRONE WILLIAMS

VERSUS

**ROCHELLE WILLIAMS, RONALD FICKLIN, SCOTT
PERRILLOUS, XYZ PERSONNEL FROM SHERIFF'S OFFICE,
SUSAN EHRET, BARBARA JOHNSON AND PAULINE HOLDEN**



Judgment Rendered: March 23, 2007

**Appealed from the
21st Judicial District Court
In and for the Parish of St. Helena, Louisiana
Case No. 19163**

The Honorable Zorraine M. Waguespack, Judge Presiding

**Tyrone Williams
Kinder, Louisiana**

**Plaintiff/Appellant
In Proper Person**

**Gregory E. Bodin
Phillip E. Foco
Edward D. Hughes
Baton Rouge, Louisiana**

**Counsel for Defendant/Appellee
Pauline Holden**

BEFORE: KUHN, GAIDRY, AND WELCH, JJ.

Welch J. concurs without reasons.

GAIDRY, J.,

In this case, plaintiff, Tyrone Williams, an inmate in the Allen Correctional Center in Kinder, Louisiana, appeals a trial court judgment granting defendant, Pauline Holden's, exception of no cause of action and dismissing his claims against her with prejudice. We affirm.

FACTS AND PROCEDURAL HISTORY

Tyrone Williams filed a "Petition for Return of Property and Damages" on December 6, 2005, against a number of defendants, including his former wife, his former mother-in-law, the Sheriff of St. Helena Parish and various Sheriff's office personnel, the St. Helena Parish District Attorney, the St. Helena Parish School Board, and the manager of his credit union. The allegations outlined in his petition are essentially that he believes that while he has been incarcerated, his former wife has been cashing his checks and removing his personal property from his home. Pauline Holden was the manager of Williams's credit union. The allegations concerning Ms. Holden were that she "knowingly allowed the funds to be received by the Plaintiff's ex-wife." Ms. Holden filed exceptions of vagueness, improper cumulation or joinder, prescription, and no cause of action. Ms. Holden's exception of no cause of action was based upon the fact that the allegations in his petition lacked sufficient specificity to state a cause of action. Williams filed a supplement to his suit to attempt to "explain further the reasons for [his] suit." In this supplement, he alleged that Ms. Holden had, among other things, falsified loan applications, loan and security agreements, disclosure statements, and payroll deduction cards; allowed his former wife to forge his name on his checks; refused to give him the information he required to investigate what his former wife was doing; and

had failed to notify the Sheriff of his former wife's actions. No details were given as to how these documents were falsified by Ms. Holden.

After a hearing, the trial court granted Ms. Holden's exception of no cause of action. The trial court also found that Williams's claims were prescribed, but the judgment contained no mention of prescription. Williams appealed the judgment dismissing his claims against Ms. Holden. Although his appeal brief contains approximately seventy-five assignments of error, the majority of those assignments of error restate his allegations against the other defendants who did not participate in the exception and who were not dismissed. The judgment appealed by Williams dismissed his claims against Ms. Holden *only*.

While it is difficult to make sense of Williams's petition and the various supplements thereto, Williams's claims against Ms. Holden seem to stem from two loan applications dated January 12, 2004 and August 5, 2004. Despite the fact that Williams filed two lengthy supplements to his petition in an attempt to eliminate the vagueness, he failed to set forth a cause of action against Ms. Holden. Furthermore, any claims arising out of the falsification of loan applications on January 12, 2004 and August 5, 2004 would be prescribed in a petition filed December 6, 2005.

DECREE

The judgment of the trial court granting Pauline Holden's objection raising the exception of no cause of action and dismissing Williams's claims against her with prejudice is affirmed. Costs of this appeal are assessed to plaintiff, Tyrone Williams.

AFFIRMED.