

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

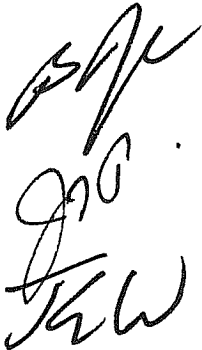
FIRST CIRCUIT

NO. 2007 CA 0176

DEAN ESPOSITO

VERSUS

STEPHANIE ESPOSITO



Judgment Rendered: November 2, 2007.

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On Appeal from the
19th Judicial District Family Court,
In and for the Parish of East Baton Rouge,
State of Louisiana
Trial Court No. 154,692

Honorable Toni Higginbotham, Judge Presiding

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and
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BEFORE: CARTER, C.J., PETTIGREW AND WELCH, JJ.

CARTER, C.J.

This appeal is a companion to that of **Esposito v. Esposito**, 07-0175 (La. App. 1 Cir. 11/2/07)(unpublished), wherein this court reversed the September 12, 2006 judgment of the trial court granting Dean Esposito a divorce pursuant to LSA-C.C. art. 102. A complete recitation of the procedural history of this matter is set forth in that appeal.

This appeal is taken from a judgment of the trial court rendered October 18, 2006, which states, “IT IS ORDERED, ADJUDGED AND DECREED that the exception of res judicata filed by plaintiff is hereby granted.” However, the judgment does not dismiss any of Stephanie’s claims. Based on the absence of appropriate decretal language, and further considering the result reached in the companion case, we dismiss this appeal. Cf. LSA-C.C.P. arts. 1911 and 1918. Costs of appeal are assessed equally between Dean Esposito and Stephanie Esposito.

APPEAL DISMISSED.