

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

CHRIS AUGUSTINE, ET AL

CIVIL ACTION NO. 1:06CV1662

VS.

JUDGE DRELL

AVOYELLES PARISH POLICE JURY

MAG. JUDGE KIRK

**PLAINTIFF'S OPPOSITION TO DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

NOW INTO COURT, through undersigned counsel, come plaintiffs, who respectfully object both to the filing of defendant's motion and the substantive nature of same for the following reasons, and as is more fully set forth in the attached memorandum:

1.

Defendant's motion for summary judgment was filed well past the June 29, 2007 deadline for filing dispositive motions as ordered by the Court on April 19, 2007 in accepting the jointly proposed Plan of Work in this case.

2.

Counsel for defendant did not seek the consent of counsel for plaintiff in filing an out-of-time motion, nor does the record reflect that counsel for defendant sought and gained leave of Court from this Honorable court to file an out-of-time dispositive motion for summary judgment. Plaintiffs object to the filing of this motion as being untimely.

3.

Counsel for plaintiffs shows further that in the alternative, should the Court allow the filing, the motion for summary judgment is without merit and should be denied for reasons

more fully set forth in the Memorandum in Opposition to Defendant's Motion for Summary Judgment attached hereto.

Respectfully submitted,

/s/Charles D. Jones
CHARLES D. JONES
141 DeSiard Street, Suite 315
Monroe, LA 71201
318/325-2644
Bar Roll No. 07476

CERTIFICATE OF SERVICE

I, CHARLES D. JONES, HEREBY CERTIFY that copies of the foregoing and the supporting memorandum have been served on counsel for Defendant by using the CM/ECF system, which will transmit a notice of electronic filing to the following:

CHARLES A. RIDDLE III
P. O. Box 1200
Marksville, Louisiana 71351

THUS DONE ON THIS 1ST DAY OF FEBRUARY, 2008.

/s/Charles D. Jones
CHARLES D. JONES