

DEMETRIA L. ROBINSON-CARTER, CPA,
PERSONALLY AND O/B/O DEMETRIA L.
ROBINSON-CARTER, CPA, LLC

NO. 23-CA-397

FIFTH CIRCUIT

VERSUS

COURT OF APPEAL

ST. JOHN THE BAPTIST PARISH SCHOOL
BOARD

STATE OF LOUISIANA

April 19, 2024

Susan Buchholz

Chief Deputy Clerk

ON APPLICATION FOR REHEARING

Panel composed of Susan M. Chehardy,
John J. Molaison, Jr., and Timothy S. Marcel

DENIED WITH REASONS

JJM
SMC
TSM

MOLAISON, J.

The appellant previously raised the issue of inaccurate transcripts in a motion filed prior to submission of the appeal for consideration. On October 13, 2023, we denied the motion to supplement the record on appeal, noting, in part, that “A court reporter’s audio tapes of trial testimony do not properly form part of the record on appeal. See, e.g., La. R.S. 13:961(C); La. C.C.P. Art. 2127.1.”

In her motion for reconsideration, the appellant fails to offer any proof as to inaccuracies in the record on appeal. The Clerk of Court for the 40th Judicial District Court certified that the record is a true copy of the original record and includes all the pleadings, evidence and documents in the case. Additionally, the transcripts all contain the multiple official court reporters' certifications that the transcripts are true and accurate. Given these certifications and absent any proof of inaccuracies, we must presume the appellate record before us is correct.

Accordingly, this Court is unable to conclude that the certified record is incorrect or contains misstatements. See *Karagiannopoulos v. State Farm Fire & Cas. Co.*, 94-1048 (La. App. 5 Cir. 11/10/99), 752 So.2d 202, 207-08, *writs denied*, 99-2866 (La. 12/10/99), 752 So.2d 165, 99-3474 (La. 2/11/00), 754 So.2d 940; *Bedi v. Price*, 19-138 (La. App. 5 Cir. 10/2/19), 282 So.3d 323, 327. The appellant’s motion for reconsideration is denied.

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISSON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



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CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. WISEMAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

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NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **04/19/2024** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

23-CA-397

E-NOTIFIED

40th District Court (Clerk)
Honorable Vercell Fiffie (District Judge)
Vercell Fiffie (Appellee)

Louis R. Koerner, Jr. (Appellant)

MAILED

Jonathan D. Blake (Appellee)
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