

Fifth Circuit Court of Appeal State of Louisiana

No. 26-C-440

SUCCESSION OF ROBERT JOHN SHIRER

IN RE ROBERT J. SHIRER, II
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT,
PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE KIRK A.
VAUGHN, JUDGE AD HOC, DIVISION "N", No. 872-481

TRUE COPY

September 21, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Jude G. Gravois,
Marc E. Johnson, and Timothy S. Marcel

WRIT DENIED; STAY DENIED

In this succession matter, relator, Robert J. Shirer, II, seeks this Court's supervisory review of the trial court's September 8, 2026 judgment which granted a Motion to Compel filed by Patricia Shirer and William Shirer in their representative capacities as co-executors of the Succession of Robert John Shirer. Relator specifically disputes the trial court's order that he produce the following documents: 1) all business and financial records, including bank records and loan documents of The Cabinet Shoppe and/or NOLA Caskets, from January 1, 2023 through November 16, 2025; and 2) the cost of the decedent's casket as evidenced by invoice from the supplier as well as proof of payment. Relator has requested that we give this writ application expedited consideration because the judgment orders relator to respond to the requested discovery within fifteen (15) days of the signing of the judgment (which would be on September 23, 2026). Relator has also requested a limited stay of said contested portions of the judgment pending resolution of this writ application.

In his writ application, relator contends that the business and financial records were originally sought relative to relator's claim for reimbursement of personal funds he allegedly advanced to the decedent in the amount of \$44,787.72. However, the trial court granted summary judgment in favor of the co-executors and denied relator's claim for

reimbursement. As such, relator argues that the co-executors have failed to establish another basis to produce those documents, many of which contain confidential information. Further, though the co-executors argue that the decedent may have had a 6% ownership interest in the business, thus making the information relevant, relator asserts this does not necessitate such a broad disclosure, especially since this claim can be investigated through other means. As to the casket invoice, relator argues that the acquisition cost is only material if the co-executors can prove relator agreed to furnish the casket for free, at cost, or at a discount, and this has not yet been established.

La. C.C.P. art. 1422 states, in part, that “[p]arties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.” “Relevant evidence” is defined in La. C.E. art. 401 as “evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.”

The trial court has broad discretion in regulating pre-trial discovery, and its decision will not be disturbed absent a clear abuse of discretion. *Bell v. Treasure Chest Casino, L.L.C.*, 06-1538 (La. 2/22/07), 950 So.2d 654, 656.

Upon review, we conclude that relator has not shown that the contested information and documentation sought to be disclosed is clearly not relevant and material to the issues involved in this matter, or is not reasonably calculated to lead to the discovery of admissible evidence. Further, concerning the alleged confidential nature of such information and documentation, relator can request that the trial court order such information and documentation be filed under seal at the time of disclosure or other protective measures as provided under La. C.C.P. art 1426 to prevent disclosure of confidential information.

Therefore, on the showing made, we cannot say that the trial court clearly abused its broad discretion in granting the Motion to Compel. This writ application is denied. Relator’s request for a limited stay is also denied.

Gretna, Louisiana, this 21st day of September, 2026.

JGG
MEJ
TSM

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
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LINDA M. TRAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
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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 **09/21/2026** 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

26-C-440

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Kirk A. Vaughn (DISTRICT JUDGE)
Bruce A. Miller (Respondent)

Stephen P. Schott (Respondent)

MAILED

Anne Margaret Shirer Schott
(Respondent)
In Proper Person
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Robert J. Shirer, II (Relator)
In Proper Person
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