STATE OF LOUISIANA, THROUGH DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT	NUMBER_____ DIV.__
	29th JUDICIAL DISTRICT COURT
VERSUS	PARISH OF ST. CHARLES
ROBERT FRANK WOODYARD	STATE OF LOUISIANA

PETITION

The petition of the State of Louisiana, through Department of Transportation & Development (hereafter referred to as "DOTD"), created under and by virtue of the laws of the State of Louisiana, and domiciled in the City of Baton Rouge, Parish of East Baton Rouge, State of Louisiana, respectfully represents that:

1.

Made defendant herein is:

1. **ROBERT FRANK WOODYARD** (hereafter "Woodyard"), a major person domiciled in the City of Leroy, State of Alabama, who was the owner/operator of the motor vehicle in question on February 14, 2015.

2.

Petitioner shows that, based on information and belief, the above named defendant is justly and truly indebted to your petitioner for such damages as are reasonable in the premises, together with legal interest thereon from date of judicial demand, until paid, and for all costs of these proceedings.

3.

On or about February 14, 2015, the motor vehicle "1994 Toyota Tacoma", VIN #: JT4VN13D0R5129688, that was owned/operated by defendant WOODYARD, was traveling North on I-310, at or near Milepost 6.11, 0.1 Miles South of LA 48, in St. Charles Parish, when WOODYARD veered off the right side of the road and stuck the traffic attenuator at said location causing damage to a portion of the traffic crash attenuator ("Attenuator"), with said Attenuator and its appurtenances being under the jurisdiction of DOTD and owned by the State

of Louisiana.

4.

Under the laws of the State of Louisiana, the construction, maintenance, and repair of the public state highways of the State of Louisiana, and the maintenance and repair of traffic attenuators, including the subject structural damage to the aforementioned Attenuator, at the location referred to above, are functions of your petitioner.

5.

As a result of the accident, DOTD is required to repair the structural damage to the Attenuator of the subject roadway.

6.

The accident and resulting damages were caused by the negligence of defendant WOODYARD in the following particular, but not necessarily exclusive respects:

1. In failing to keep a proper lookout;
2. In failing to keep proper control of said motor vehicle and failing to take proper evasive action to avoid a collision;
3. In failing to stop or slow the motor vehicle in time to avoid the resulting collision;
4. In operating said motor vehicle in a generally careless manner without due regard for the property of others; and
5. Any and all other acts and omissions which will be shown at the trial of this matter.

7.

Under the provisions of La. R.S. 13:4521, petitioner herein is entitled to file and prosecute this suit without the payment of costs of Court in advance or as the same accrue and without the necessity of advancing costs, bond, or surety therefore.

8.

Petitioner alleges amicable demand has been made to no avail.

WHEREFORE, petitioner prays that:

1. A certified copy of the above and foregoing pleading be served upon the defendant and he be cited to appear and defend this lawsuit; and

2. After all legal delays have expired and due proceedings had, there be judgment herein in favor of petitioner, DOTD, and against the defendant, ROBERT FRANK WOODYARD, for such damages as are reasonable in the premises, together with legal interest thereon from date of judicial demand, until paid, for all costs of these proceedings.

RESPECTFULLY SUBMITTED:

LOUISIANA DEPARTMENT OF
TRANSPORTATION & DEVELOPMENT
OFFICE OF THE GENERAL COUNSEL

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1. Robert Frank Woodyard
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