

NUMBER 2015-0001185 DIV.      **F**

STATE OF LOUISIANA, THROUGH  
THE DEPARTMENT OF TRANSPORTATION  
AND DEVELOPMENT

21st JUDICIAL DISTRICT COURT

VERSUS

PARISH OF TANGIPAHOA

DONALD BLAHUT, JR.,  
GABRIEL KALEB ANDREWS,  
AND  
PROGRESSIVE INSURANCE COMPANY

STATE OF LOUISIANA

**PETITION**

The petition of the State of Louisiana, through the 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 are:

- I. **DONALD BLAHUT, JR.** (hereafter "Blahut"), a major person who was the owner and operator of a vehicle which caused damage to DOTD property on April 21, 2014;
- II. **GABRIEL KALEB ANDREWS** (hereafter "Andrews"), a major person who was the owner and operator of a vehicle which caused damage to DOTD property on April 21, 2014.; and
- III. **PROGRESSIVE INSURANCE COMPANY** (hereafter "Progressive"), a foreign insurance company authorized to do, and doing business, in Louisiana

2.

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

3.

On or about April 21, 2014, defendants BLAHUT and ANDREWS were operating

separate vehicles on U.S. Highway 190 West near Sanderson Farm in Tangipahoa Parish.

4.

On the above-reference date, defendant BLAHUT was operating a 2011 Hyundai Elantra, VIN 5NPDH4AE5BH025719, bearing Louisiana license plate W OH 585. Said vehicle was insured by defendant PROGRESSIVE pursuant to policy number 62959176.

5.

On the above-referenced date, defendant ANDREWS was operating a 1989 Buick, VIN 1G4CW54C2K1681638, bearing Louisiana license plate XBM 775.

6.

On the same date, defendants BLAHUT and ANDREWS were involved in an altercation which began in the parking lot of a business in nearby Albany, Louisiana.

7.

On the same date, the above-referenced vehicles, driven by defendants BLAHUT and ANDREWS, respectively, were involved in a motor vehicle accident while traveling east on U.S. Highway 190 near Sanderson Farms. The accident caused damage to a guardrail which is under the jurisdiction of DOTD and owned by the state of Louisiana

8.

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 roads, including the subject damaged components at the above-referenced location, are functions of your petitioner.

9.

As a result of the accident, DOTD was required to repair the damaged guardrail.

10.

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

1. Careless and/or reckless operation of the motor vehicle;
2. Failure to maintain control of the vehicle;

3. Failure to take proper evasive action to avoid the accident
4. Failure to apply the brakes in time to avoid the accident;
5. Operating the vehicle in a generally careless and/or reckless manner without due regard for the safety and property of others; and
6. Any and all other acts and omissions which will be shown at the trial of this matter.

8.

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.

9.

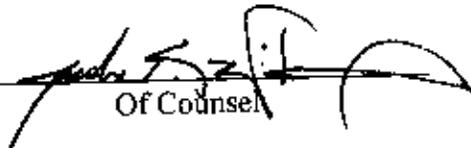
Petitioner alleges amicable demand has been made to no avail.

**WHEREFORE**, the State of Louisiana, through the Department of Transportation and Development prays that:

1. A certified copy of the above and foregoing pleading be served upon the defendants, and they be cited to appear and defend this lawsuit; and
2. After all legal delays have expired and due proceedings are had, there be judgment herein in its favor and against the defendants, **DONALD BLAHUT, JR., GABRIEL KALEB ANDREWS, and PROGRESSIVE INSURANCE COMPANY** 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

BY:   
Of Counsel

Jacob K. Wilson  
Attorney for State, DOTD  
LA Bar Roll No. 33433  
1201 Capitol Access Road  
Room N-328  
Baton Rouge, LA 70802  
Phone: 225-242-4610  
Facsimile: 225-242-4690  
Email: [jacob.wilson@la.gov](mailto:jacob.wilson@la.gov)

**PLEASE SERVE:**

1. Donald Blahut, Jr.,  
30968 Hwy. 43 N.  
Albany, LA 70711
2. Gabriel Kaleb Andrews  
17394 Florida Blvd.  
Holden, LA 70744
3. Progressive Insurance Company,  
through its agent for service of process:  
Louisiana Secretary of State  
8585 Archives Ave.  
Baton Rouge, LA 70809