

**NOT DESIGNATED FOR PUBLICATION**

**STATE OF LOUISIANA  
COURT OF APPEAL, THIRD CIRCUIT**

**CA 24-465**

**TRISH R. VERONIE**

**VERSUS**

**JOSEPH VICTOR VAN BROCKLIN MIRELES**

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**APPEAL FROM THE  
FIFTEENTH JUDICIAL DISTRICT COURT  
PARISH OF LAFAYETTE, NO. C20183897  
HONORABLE RONALD D. COX, DISTRICT JUDGE**

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**SHARON DARVILLE WILSON**

**JUDGE**

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Court composed of Sharon Darville Wilson, Charles G. Fitzgerald, and Guy E. Bradberry, Judges.

**APPEAL DISMISSED.**

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**WILSON, Judge.**

On March 8, 2024, the trial court below heard a motion to recuse the honorable Thomas R. Duplantier which had been filed by Defendant-Appellant, Joseph Victor Van Brocklin Mireles. The trial court denied said motion, signing the Judgment on April 2, 2024. The Clerk of Court noticed the signing of said Judgment on April 3, 2024. Appellant's notice of intent to file appeal was filed on June 3, 2024.

Upon the lodging of the record in this appeal, this court, on its own motion, issued a rule for the Appellant to show cause why the appeal should not be dismissed as untimely and as having been taken from a non-appealable, interlocutory judgment, citing La.Code Civ.P. arts. 3942 and 3943, as well as *Deville v. Calogero*, 96-162 (La.App. 3 Cir. 4/24/96), 673 So.2d 1175. Appellant timely filed a response to this court's rule.

In his response to the rule to show cause, Appellant conceded that the matter is "premature until the trial court either certifies the judgment below as a final judgment, the district court reconsiders its ruling, or until the entirety of appellant's motion is heard such that it would be a final judgment. As such, Appellant agree that this appeal should be dismissed without prejudice." Additionally, Appellant has not shown any good cause why his appeal was not untimely. Accordingly, we find that the appeal was filed untimely and taken from a non-appealable, interlocutory judgment. For the reasons assigned, the appeal is hereby dismissed without prejudice.

**APPEAL DISMISSED.**

THIS OPINION IS NOT DESIGNATED FOR PUBLICATION.  
Uniform Rules—Courts of Appeal, Rule 2-16.3.