

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

**LOGAN OSCAR MORRIS,
DOCTOR JEREMY M DRAPER,
WELLFIT MEDICINE AND NUTRITION
PLLC**

**CIVIL ACTION NO. _____
JUDGE _____
MAG. JUDGE _____**

VERSUS

**CITY OF LEESVILLE,
LEESVILLE CITY COUNCIL,
LEESVILLE MAYOR A/K/A RICK
ALLEN, COUNCILMAN CHRIS
ROBERTSON, COUNCILWOMAN
WILLIE MAE KENNEDY,
COUNCILWOMAN NICOLE YBARRA,
COUNCIL DELAIN PREWITT,
COUNCILWOMAN ALICE GUESS,
COUNCILMAN PHILIP HUNT, POLICE
JUROR CURTIS CLAY**

NOTICE OF REMOVAL

COMES NOW, Defendants, City of Leesville, Leesville City Council, Rick Allen, Chris Robertson, Willie Mae Kennedy, Nicole Ybarra, Delain Prewitt, Alice Guess, Philip Hunt, and Curtis Clay which hereby remove this action from the 30th Judicial District Court of Vernon Parish, Louisiana, to the United States District Court for the Western District of Louisiana on the following grounds:

I. STATEMENT OF THE CASE

1.

This action was filed in the 30th Judicial District Court of Vernon Parish, Louisiana, as on September 25, 2025. (See Exhibit A, Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction).

2.

Defendants received a copy of the Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction on September 25, 2025. Less than thirty (30) days have elapsed since the date of “receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based” Therefore, this Notice of Removal is timely under 28 U.S.C. § 1446(b)-(c).

3.

Defendants City of Leesville, Leesville City Council, Allen, Robertson, Kennedy, Ybarra, Prewitt, Guess, Hunt, and Clay all consent to removal as permitted by 28 U.S.C. § 1446(b)(2)(C).

4.

The Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction asserts causes of action against the Defendants for an alleged refusal to issue ordinances and denial of Plaintiff’s application for annexation.

II. PROCEDURAL REQUIREMENTS

5.

This notice is filed on behalf of Defendants City of Leesville, Leesville City Council, Allen, Robertson, Kennedy, Ybarra, Prewitt, Guess, Hunt, and Clay, in accordance with 28 U.S.C. § 1446(b)(2).

6.

Concurrent with the filing of this Notice or promptly thereafter, Defendant is serving this Notice of Removal on all adverse parties pursuant to 28 U.S.C. § 1446(d).

7.

Pursuant to 28 U.S.C. § 1446(a), copies of all state court documents served upon or provided to Defendant are attached as follows:

1. Exhibit A – Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction filed on September 25, 2025.

8.

As of October 8, 2025, there have been no substantive orders issued by the 30th Judicial District Court, Vernon Parish, Louisiana, in this matter.

9.

Removal to this Court is proper because the 30th Judicial District Court, Vernon Parish, Louisiana, lies within the territorial jurisdiction of the Western District of Louisiana, Lake Charles Division.

III. ARGUMENT

Federal Question Jurisdiction Under 28 U.S.C. § 1441(a)

10.

This case is removable under 28 U.S.C. § 1441(a) on the basis of “original jurisdiction” because Plaintiff’s Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction asserts claims “arising under” federal law within the meaning of 28 U.S.C. § 1331.

11.

On its face, the Petition asserts claims under federal law. The Petition expressly asserts claims under 42 U.S.C. § 1985. (See Exhibit A, Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction, Section titled “**XI.**”)

12.

Further, Plaintiff alleges violation of the Freedom of Information Act (FOIA). (See Exhibit A, Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction, Section titled “**XIII.**”)

13.

Plaintiff also alleges Federal Constitutional violations, specifically of substantive and procedural due process rights under the 1st and 14th Amendments, and Equal Protection Clause violations. (See Exhibit A, Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction, Sections titled “**XX.**”; “**XXI.**”; and “**XXII.**”)

14.

Plaintiff further asserts a Civil Rights violation under 42 U.S.C. § 1983 and Voting Rights Act of 1965 violation. (See Exhibit A, Petition for Devolutive Appeal, Preliminary Injunction, and Permanent Injunction, Sections titled “**XXIII.**” and “**XXIV.**”)

Supplemental Jurisdiction Under 28 U.S.C. § 1367

15.

When a case is removed based on federal question jurisdiction, a District Court has supplemental jurisdiction “over all other claims that are so related. . . that they form part of the same case or controversy.” 28 U.S.C. § 1367.

16.

Here, all of the conduct and complaints alleged in Plaintiff's Petition arise from the same set of transactions and occurrences - specifically, the alleged refusal to issue ordinances and denial of Plaintiff's application for annexation. To the extent that any cause of action stated in the Petition does not fall within the federal question jurisdiction of the District Court (such as the alleged violation of Louisiana Revised Statutes § 14:442, § 33:171 et seq., and Leesville Charter § 2-15), Defendant requests the Court exercise its supplemental jurisdiction over such residual causes of action pursuant to 28 U.S.C. § 1367.

WHEREFORE, Defendants, having shown that this case is properly removable, give notice pursuant to 28 U.S.C. § 1446 that the Civil Action pending in the 30th Judicial

District Court of Vernon Parish, Louisiana, is removed to the United States District Court for the Western District of Louisiana, Lake Charles Division, and respectfully request that this Court exercise jurisdiction over the action.

Respectfully submitted,

GOLD, WEEMS, BRUSER, SUES & RUNDELL

By: /s/ Joshua J. Dara, Jr.

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ATTORNEYS FOR DEFENDANTS

STATE OF LOUISIANA

PARISH OF RAPIDES

BEFORE ME, the undersigned authority, personally came and appeared JOSHUA J. DARA, JR. who being first duly sworn, did depose and certify: That he is the attorney of record for the Defendants, City of Leesville, Leesville City Council, Rick Allen, Chris Robertson, Willie Mae Kennedy, Nicole Ybarra, Delain Prewitt, Alice Guess, Philip Hunt, and Curtis Clay, and that he has read the foregoing Defendant’s Notice for Removal; that all joined defendants have consented and agreed to the removal; and that the facts and allegations therein contained are true and correct to the best of his knowledge, information and belief.

/s/ Joshua J. Dara, Jr.
JOSHUA J. DARA, JR.

SWORN TO AND SUBSCRIBED before me, Notary, on this the 8th day of October, 2025.

s/ Connor C. Headrick
NOTARY SIGNATURE

Notary Public - Commission is for life
TITLE

Connor C. Headrick
NOTARY NAME PRINTED

156715
NOTARY ID NUMBER

CERTIFICATE

I hereby certify that a copy of the above and foregoing Defendant's Notice for Removal has been sent to plaintiff via U.S. mail, and to the Honorable Jeff Skidmore, Clerk of the 30th Judicial District Court, Vernon Parish, Louisiana:

Logan Oscar Morris
Doctor Jeremy M. Draper
Wellfit Medicine and Nutrition, PLLC
through counsel of record
Mr. Brock A. McKiness
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Leesville, LA 71446
brock.mckiness@LibertyLoyalLaw.com

Alexandria, Louisiana this 8th day of October 2025.

/s/ Joshua J. Dara, Jr.
Of Counsel