

John Bel Edwards
GOVERNOR



Rebekah Gee MD MPH
SECRETARY

State of Louisiana
Department of Health
Bureau of Legal Services

November 21, 2016

VIA U.S. MAIL
23rd JDC – Assumption Parish
Office of the Clerk of Court
P.O. Box 249
Napoleonville, LA 70390

RE: *La. Dept. of Health v. Clevette Jackson-Dorsey & Marion Jackson*

Dear Sir or Madame:

In connection with the above-referenced matter, please find for filing original and three (3) copies of an Ex-Parte Petition to Make Compliance Order Executory, together with accompanying Judgment. Please forward a copy to the judge for the section to which the suit is assigned. Please serve a copy upon the defendants per the service instructions contained on the judgment. Finally, please return a stamped/conformed copy to me in the enclosed self-addressed, stamped envelope.

This is a "state filing" that, in accordance with La.R.S. 40:31 and La.R.S. 13:4521, is exempt from filing fees.

Feel free to contact me at the number below if you have any questions or need additional information.

With kind regards, I am

Very truly yours,

A handwritten signature in blue ink, appearing to read "Sandra A. Jelks".

Sandra A. Jelks

/SAJ
enclosures

Bienville Building • 628 North 4th Street • P.O. Box 3836 • Baton Rouge, Louisiana 70821-3836
Phone: (225) 342-9937 • Fax: (225) 342-2232 • www.ldh.la.gov
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LOUISIANA DEPARTMENT OF
HEALTH

VERSUS

* SUIT NO.
*
* 23rd JUDICIAL DISTRICT COURT
*

*
* CLEVETTE JACKSON-DORSEY &
* MARION JACKSON
*
* PARISH OF ASSUMPTION
*
* STATE OF LOUISIANA
*

EX PARTE PETITION TO MAKE COMPLIANCE ORDER(S) EXECUTORY
PURSUANT TO LA. R.S. 40:6(G)

The petition of Dr. Jimmy Guidry, M.D., in his official capacity as State Health Officer, Louisiana Department of Health (“LDH”), Office of Public Health, through undersigned counsel, respectfully represents:

1.

Dr. Jimmy Guidry, State Health Officer for LDH, Office of Public Health, is granted jurisdiction and authority to enforce the State Sanitary Code (Louisiana Administrative Code Title 51) pursuant to La. R.S. 40:4 and R.S. 40:5, including enforcement of compliance orders pursuant to LSA R.S. 40:6(G).

2.

Made defendants herein are **Clevette Jackson-Dorsey** and **Marion Jackson** (hereinafter “Defendants”), persons of full age of majority domiciled in Assumption Parish, Louisiana.

3.

Defendants are the owners and/or heirs of the properties located at 7441 Highway 1, and 105 Millien Drive, Donaldsonville, Louisiana 70346.

4.

A Compliance Order issued pursuant to La. R.S. 40:4, 40:5, 40:6, and Sanitary Code Part I, §111, signed by Dr. Jimmy Guidry, State Health Officer, and J.T. Lane, LDH Assistant Secretary for the Office of Public Health, was hand delivered to the Defendants by a representative of LDH on April 7, 2015. A certified copy of said Compliance Order, which bears the LDH-assigned number OPH-2015-OW-002, together with all attachments thereto, is attached to this petition as **Exhibit LDH-A**. The process server’s return documenting the hand delivery of the Compliance Order is attached hereto as **Exhibit LDH-B**.

5.

As more particularly described therein, Compliance Order No. OPH-2015-OW-002 was issued only after LDH personnel conducted various inspections and provided Defendants with all

notice(s) required under Sanitary Code Part I.

6.

Compliance Order No. OPH-2015-OW-002 was issued to Defendants because they failed, after numerous notices and other attempts by LDH to obtain voluntary compliance, to comply with Sanitary Code Part XIII, §305(A), which states that:

A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic, into any road, street, gutter, ditch, water course, body of water, or onto the surface of the ground

7.

As noted in the exhibits attached to Compliance Order No. OPH-2015-OW-002, the unapproved and non-permitted onsite sewage treatment systems presently in use at Defendants' properties are not effectively treating the wastewater from the home and the subsequent effluent draining into the ditch is untreated raw sewage. These conditions are in violation of Sanitary Code Part XIII, §701(A), and (B), which state in part that:

A person shall not install, cause to be installed, alter subsequent to installation, or operate an individual sewerage system of any kind without first having obtained a permit from the state health officer....

Upon receipt of a request for such permit, and approval of plans and specifications for the proposed individual sewerage system (which shall accompany any such request for permit), a temporary permit, authorizing the installation of said system, may be issued....

8.

Despite being properly served with Compliance Order No. OPH-2015-OW-002, Defendants did not thereafter, within the twenty days allowed under Sanitary Code Part I, §111 or otherwise, submit to either LDH or the Division of Administrative Law any form of written request that might be construed as a request for an administrative appeal of said Compliance Order.

9.

A Notice and Order of Imposition of Penalties ("NOIP") issued pursuant to La. R.S. 40:4, 40:5, 40:6, and Sanitary Code Part I, §113, signed by Dr. Jimmy Guidry and Kathy Kliebert, LDH Secretary, was hand delivered to the Defendants by a representative of LDH on April 19, 2016. A certified copy of the NOIP is attached hereto as **Exhibit LDH-C**. The process server's return associated with the hand delivery of the NOIP is attached hereto as **Exhibit LDH-D**.

10.

As noted therein, the NOIP was preceded by a Post Order Inspection Report ("POIR"), attached hereto as **Exhibit LDH-E**, conducted and completed by LDH personnel on April 30, 2015, and mailed to Defendants via USPS Certified Mail, Return Receipt Requested on May 1, 2015. The online certified return receipt notice associated with the USPS delivery of the POIR is attached hereto as **Exhibit LDH-F**.

11.

LDH issued the NOIP because Defendants failed to notify LDH in writing, as required by the POIR, that they had complied with Compliance Order No. OPH-2015-OW-002.

12.

The Defendants have not complied with the actions required by Compliance Order No. OPH-2015-OW-002 nor paid the penalty assessed by the NOIP. LDH is thus entitled to an ex-parte judgment making both Compliance Order No. OPH-2015-OW-002 and the NOIP a judgment of the district court and making the judgment executory, pursuant to La. R.S. 40:6(G).

13.

Petitioner also suggests that the filing of this Petition and attached documents should be free from payment of any costs of court or other security bonds pursuant to La. R.S. 40:31, which exempts the Louisiana Department of Health, and its agents and subdivisions, from court costs in any suit.

WHEREFORE, petitioner Dr. Jimmy Guidry, State Health Officer, Louisiana Department of Health, Office of Public Health, prays that Compliance Order No. OPH-2015-OW-002 and the NOIP be made executory in this court, pursuant to La. R.S. 40:6(G), that all costs of these proceedings be taxed against the defendants, and for all other general and equitable relief warranted.

Respectfully Submitted:



Sandra A. Jelks (Bar Roll No. 22088)
La. Department of Health
Bureau of Legal Services
P.O. Box 3836
Baton Rouge, Louisiana 70821-3836
Telephone: (225) 342-9937; Fax 342-2232
sandra.jelks@la.gov

JIMMY GUIDRY, M.D.
STATE HEALTH OFFICER

VERSUS

CLEVEITE JACKSON-DORSEY & MARION
JACKSON
7441 HIGHWAY 1 AND 105 MILLIEN DRIVE
DONALDSONVILLE, LA 70346

STATE OF LOUISIANA

DEPARTMENT OF HEALTH
& HOSPITALS

OFFICE OF PUBLIC HEALTH

COMPLIANCE ORDER
OPH-2015-OW-002

The State Health Officer acting through the Office of Public Health of the Department of Health & Hospitals is statutorily responsible for the promulgation and enforcement of the Louisiana Public Health Sanitary Code pursuant to LSA-R.S. 36:258 (B), LSA-R.S. 40:4, and LSA-R.S. 40:5.

WHEREAS, the Assumption Parish Sanitarian Services acting through the Office of Public Health, is the properly designated agent of the Department of Health and Hospitals for the enforcement of the Louisiana Public Health Sanitary Code.

WHEREAS, Marion Jackson and Clevette Jackson-Dorsey, hereafter referred to as Respondents, are persons of full age of majority and are the heirs/owners of the properties located at 7441 Highway 1, and 105 Millien Drive, Donaldsonville, LA 70346.

A copy of the properties' assessment and acquisition deed is attached hereto as **Exhibit A, A1**.

WHEREAS, on October 16, 2013, the Assumption Parish Sanitarian Services Office received a complaint via email from Jesse Means, Department of Environmental Quality, regarding partially treated sewage possibly discharging into Bayou Lafourche from existing unapproved sewage systems located at 7441 Highway 1, and 105 Millien Drive, Donaldsonville, LA 70346.

A copy of same is attached hereto as **Exhibit B**.

WHEREAS, on October 25, 2013, Courtney Dickerson, Sanitarian, conducted inspections of the existing unapproved sewage systems located at 7441 Highway 1, and 105 Millien Drive, Donaldsonville, Louisiana 70346. The inspections revealed partially treated sewage discharging from an unapproved sewage system servicing a mobile home located at 7441 Highway 1 into a side ditch that drains directly into the Highway 1 ditch. An inadequate cover was noted on the unapproved system located at 105 Millien Drive, Donaldsonville, Louisiana 70346. These conditions are in violation of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 3, §305.A., as follows:

“A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, into any road, street, gutter, ditch, water course, body of water, or onto the surface of the ground.”

And Chapter 7, §701.A.:

“A person shall not install, cause to be installed, alter subsequent to installation, or operate an individual sewage system of any kind without first having obtained a permit from the State Health Officer. No person shall install, cause to be installed, or altered subsequent to installation an individual sewerage system of any kind except in accordance with the plans and specifications for the installation which have been approved as a part of a permit issued by the State Health Officer. Such permits shall be issued in a two-stage process in accordance with §701.B and §701.C.”

And Chapter 7, §701.B.:

“Upon receipt of a request for such permit, and approval of plans and specifications for the individual sewerage system, the State Health Officer shall issue a permit in accordance with the plans and specifications for the installation of the individual sewerage system.”

A copy of the inspection reports is attached hereto as **Exhibit C, C1.**

WHEREAS, on November 6, 2013, a Notice of Violation letter was mailed via United States Postal Service, Certified Mail, Return Receipt Requested, to the Respondents at the P.O. Box 426, Belle Rose, Louisiana, 70341 address noted on Exhibit A, stating the violations of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 3, §305.A, as follows:

“A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, into any road, street, gutter, ditch, water course, body of water, or onto the surface of the ground.”

And Chapter 7, §701.A.:

“A person shall not install, cause to be installed, alter subsequent to installation, or operate an individual sewage system of any kind without first having obtained a permit from the State Health Officer. No person shall install, cause to be installed, or altered subsequent to installation an individual sewage system of any kind except in accordance with the plans and specifications for the installation which have been approved as a part of a permit issued by the State Health Officer. Such permits shall be issued in a two-stage process in accordance with §701.B and §701.C.”

And Chapter 7, §701.B.:

“Upon receipt of a request for such permit, and approval of plans and specifications for the proposed individual sewage system (which shall accompany any such request for permit), a temporary permit, authorizing the installation of said system, may be used. Any such temporary permit shall be in writing and shall not be issued until, with respect to the property and its surroundings, the State Health Officer has determined that connection to a community-type sewage system is not feasible, and that the condition of the soil, drainage patterns, the lot size/dimensions, and other related factors are such that the construction and use of properly designed individual sewerage facilities are not likely to create a nuisance of public health hazard.”

The letter requested the Respondents apply for a temporary sewage permit by November 25, 2013, and have an approved sewage system installed by December 27, 2013.

A copy of same is attached hereto as **Exhibit D.**

WHEREAS, on January 17, 2014, Clevette Jackson-Dorsey, visited the Assumption Parish Sanitarian Services office to apply for the temporary sewage permit to install an approved sewage system to service the mobile home located at 7441 Highway 1, Donaldsonville, Louisiana 70346.

A copy of same is attached hereto as **Exhibit E.**

WHEREAS, on July 31, 2014, Tamerage Granier, Sanitarian, conducted re-inspections of the unapproved sewage systems located at 7441 Highway 1 and 105 Millien Drive, Donaldsonville, Louisiana 70346. The inspections revealed partially treated sewage continued to be discharged from the sewage system servicing the mobile home located at 7441 Highway 1; and, an inadequate cover remained on the unapproved system located at 105 Millien Drive, Donaldsonville, Louisiana 70346. These conditions are in violation of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 3, §305.A., as follows:

“A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, into any road, street, gutter, ditch, water course, body of water, or onto the surface of the ground.”

And Chapter 7, §701.A.:

“A person shall not install, cause to be installed, alter subsequent to installation, or operate

“Upon receipt of a request for such permit, and approval of plans and specifications for the proposed individual sewerage system (which shall accompany any such request for permit), a temporary permit, authorizing the installation of said system, may be used. Any such temporary permit shall be in writing and shall not be issued until, with respect to the property and its surroundings, the State Health Officer has determined that connection to a community-type sewerage system is not feasible, and that the condition of the soil, drainage patterns, the lot size/dimensions, and other related factors are such that the construction and use of properly designed individual sewerage facilities are not likely to create a nuisance of public health hazard.”

A copy of same is attached hereto as **Exhibit F...F3**.

WHEREAS, on August 14, 2014, a second Notice of Violation letter was mailed via United States Postal Service, Certified Mail, Return Receipt Requested, to the Respondents, requesting attendance for an informal conference to be held on September 18, 2014, at the Assumption Parish Sanitarian Services Office at 2:00 p.m. to discuss the continued violations of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 3, §305.A.

A copy of same is attached hereto as **Exhibit G**.

WHEREAS, on September 18, 2014, a conference was held with Chasity Cheramie, Region 3 Sanitarian Director and Lauren Comeaux, Assumption Parish Sanitarian Manager, present to discuss the correction of the violations of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 3, §305.A. . The Respondents failed to attend the conference.

A copy of same is attached hereto as **Exhibit H**.

WHEREAS, on September 18, 2014, a third Notice of Violation letter was mailed via United States Postal Service, Certified Mail, Return Receipt Requested, to the Respondents, stating that since violations of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 3, §305.A. continued to exist, a compliance order would be requested if the previously noted violations were not corrected by October 21, 2014.

A copy of same is attached hereto as **Exhibit I**.

WHEREAS, on October 21, 2014, Lauren Comeaux, Sanitarian, conducted a re-inspection of the existing unapproved sewerage system located at 7441 Highway 1, Donaldsonville, Louisiana 70346. The inspection revealed continued violations of the Louisiana Administrative Code, Title 51, (Public Health Sanitary Code) Part XIII, Chapter 3, §305.A., as follows:

“A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, into any road, street, gutter, ditch, water course, body of water, or onto the surface of the ground.”

And Chapter 7, §701.A.:

“A person shall not install, cause to be installed, alter subsequent to installation, or operate an individual sewage system of any kind without first having obtained a permit from the State Health Officer. No person shall install, cause to be installed, or altered subsequent to installation an individual sewerage system of any kind except in accordance with the plans and specifications for the installation which have been approved as a part of a permit issued by the State Health Officer. Such permits shall be issued in a two-stage process in accordance with §701.B and §701.C.”

And Chapter 7, §701.B.:

“Upon receipt of a request for such permit, and approval of plans and specifications for the proposed individual sewerage system (which shall accompany any such request for permit), a temporary permit, authorizing the installation of said system, may be used. Any such temporary permit shall be in writing and shall not be issued until with warrant to the

NOW, therefore, in accordance with the authority vested in me as State Health Officer, and in concurrence with the Secretary, herein represented by the Assistant Secretary, in accordance with Delegation effective October 15, 2011, I hereby order that the Respondent, a person of full age of majority, correct all violations issued in the Notice of Violation Letter, dated November 6, 2013, within 20 days of receipt of this Compliance Order. Failure to correct the violations or any future violations may result in civil fines of up to \$100.00 per day per violation up to a maximum of \$10,000.00 in a calendar year and all other remedies allowed by law.

You are further advised that you have the right to appeal this Compliance Order by filing a **written request** for an adjudicatory hearing regarding any final decision made by the state health officer. If a hearing is requested, an application for an adjudicatory hearing must be received by the state health officer within (20) days after receipt of this Compliance Order. All documents and written requests for a hearing shall be submitted to the state health officer at: DHH-OPH-CEHS, Onsite Wastewater Program, P.O. BOX 4489, Baton Rouge, Louisiana 70821-4489.

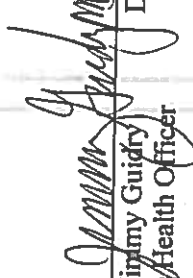
Upon timely receipt of a written application requesting an adjudicatory hearing, the request will be submitted to the Division of Administrative Law and a hearing will be scheduled (pursuant to R.S. 49:991 et seq).

Kathy Kliebert
Secretary of DHH



J.T. Lane
Assistant Secretary of DHH

Date



Dr. Jimmy Guidry
State Health Officer

Date

3/16/15

2014 REAL ESTATE ASSESSMENT INFORMATION

Property Information		Taxpayer Information	
PIN: 0700044900 Purchase Price: \$ 15,000.00		Taxpayer's ID: B569	
Parcel E911 Address (Taxpayer Address) 7441 Hwy. 1		Taxpayer's Name JACKSON, ROGER T. & MARION J.	
105 MILLIEN DR - H0055 (TRAILER)		Contact's Name (C/O)	
Subdivision or Geographic Area MILLIEN SUBDIVISION; LOT: 7,8		Mailing Address P O BOX 426	
Township/Range/Section: 11S-14E-063		Belle Rose, LA 70341	
Front Footage:			
Corner Lot: 0 Entire Block: 0 Side Footage:			
Parcel Size:			
Parcel Owner's ID: B569 Primary Owner: Y			
Type of Ownership: FEE SIMPLE TITLE Percent Owned: 100%			
Parcel Owner JACKSON, ROGER T. & MARION J.			
COB Book - Page: 225 - 616 Instrument No.:			
Transfer Date: 08/20/2002			
Instrument Type: CASH DEED			
		Assessment No. 700044900	
		Folder:	
		Land Assessment: 2,830	
		Imp Assessment: 1,970	
		Total Assessment: 4,800	
		Homestead Exemption: 3,770	
		Taxable Value: 830	

Assessment Breakdown

Status: ACTIVE 700044900

CLASS	LAND DESCRIPTION	PARTIAL	QUANTITY	ADJ. MARKET VALUE	ASSESSMENT	PROPERTY
3400	RESIDENTIAL SUBD. LOT	AV01	2.00 Units	\$20,250.00	2,830	HOME
4000	SINGLE FAMILY RESIDENCE	STRUCTURE NO.	800/AREAS	ADJ. MARKET VALUE	ASSESSMENT	PROPERTY
4000	SINGLE FAMILY RESIDENCE	700044900-001	1080 Sq.Ft.	\$11,440.00	1,140	HOME
4010	MANUFACTURED HOUSING	700044900-002	940 Sq.Ft.	\$8,320.00	830	NONE

Legal Description: (See listing report for full legal description if required.)

2 LOTS, HOUSE & TRAILER IN SEC. 56, T11S14E. 1.) LOT #8 - BD N BY LOT #9, S BY LOT #7, E BY LOT #6 & #5 & W BY RIGHT OF WAY. (109/180) 2.) LOT #7 SHOWN ON PLAT OF SURVEY PREPARED BY RUSSELL J. MILLIGAN, SR., E.C., DATED 1/29/1973. (225/616) (SURVEY PLAT @EH105750) map # 2, item # 7 & 8

ACT OF CORRECTION

BY: CARL M. MILLIEN and I UNITED STATES OF AMERICA
ADAM J. MILLIEN, JR. I STATE OF LOUISIANA
AND: ROGER T. JACKSON I PARISH OF ASSUMPTION

BE IT KNOWN that on this 23rd day of August, in the year of Our Lord, one thousand nine hundred and seventy-three, and of the Independence of the United States of America, the one hundred and ninety-eighth,

BEFORE ME, Felix H. Savoie, Jr., a Notary Public, duly commissioned and qualified, in and for the Parish of Assumption, State of Louisiana, therein residing, and in the presence of the witnesses hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED:

CARL M. MILLIEN, of legal age, married to and residing with Yolande Guerra, in the County of Harris, State of Texas, herein duly represented by his agent and attorney in fact, Adam J. Millien, Jr., duly authorized by Power of Attorney recorded in COB 107, under Entry No. 106130 of the Conveyance records of Assumption Parish, Louisiana, and

ADAM J. MILLIEN, JR., of legal age, who declared that he has been married twice, first to Barbara Allen, from whom he was divorced on November 28, 1961, Suit No. 6430, Parish of East Baton Rouge; and secondly to Sandra Celestin, with whom he is presently residing in the Parish of East Baton Rouge, State of Louisiana;

Who declared that by an act passed before Felix H. Savoie, Jr., Notary Public, under date of March 21, 1973, registered in COB 107, under Entry No. 106207 of the Conveyance Records of Assumption Parish, Louisiana, the said Carl M. Millien (represented as aforesaid) and Adam J. Millien, Jr. sold to the said ROGER T. JACKSON, of legal age, married to and residing with Marion J. Jackson in the Parish of Assumption, State of Louisiana, property therein described as follows, to-wit:

A certain tract of land situated in the Parish of Assumption, on the right bank of the Bayou Lafourche, about eleven and one-half (11½) miles above the town of Napoleonville, containing twenty-eight (28) acres, more or less; bounded above by the land of Oleus Daigle, below and in the rear by the lands of Dr. J. L. Matere, now belonging to purchaser, now or formerly; together with all buildings and improvements, rights, ways, privileges and appurtenances thereunto belonging and appertaining.

That an error was committed in preparing the aforesaid description in that the entire tract was described therein, when as a matter of fact it was the intention of the parties that a certain lot of the entire tract be sold.

That in view of the foregoing and for the same consideration originally recited, the parties have agreed to reform and correct the aforementioned description so as to have the same read as follows, to-wit:

202378

000616

ACT OF CASH SALE.

FROM: Rohi Emran and Beverly A. Emran

TO: Roger T. Jackson and Marlon Joseph Jackson

BE IT KNOWN, on the day and dates hereinafter provided.

BEFORE US, the undersigned Notaries Public, duly commissioned and qualified, in and for the Parish/County and State aforesaid, and in the presence of the two undersigned competent witnesses, personally came and appeared:

Rohi Emran (SSN: 456-66-3526) and Beverly A. Emran (SSN: 436-48-8205) married but once and then to each other, of the legal age of majority, resident of and domiciled in the State of Texas and whose permanent mailing address is declared to be 109 Harness Lane, Georgetown, TX

hereinafter referred to as "vendor" who declared that for the consideration and upon the terms and conditions hereinafter expressed, said vendor has bargained and sold, and does by these presents grant, bargain, sell, assign, transfer, deliver, and abandon and set over under all lawful warranties and with substitution and subrogation to all rights and actions of warranty against all preceding owners and vendors, unto:

Roger T. Jackson (SSN: 438-58-5046) and Marlon Joseph Jackson (SSN: 436-04-3886) married but once and then to each other, of the legal age of majority, resident of and domiciled in the Parish of ASSUMPTION and whose permanent mailing address is declared to be P.O. Box 147, Belle Rose, LA 70341.

hereinafter referred to as "purchaser," here present, accepting and purchasing and acknowledging delivery and possession of the following described property, to wit:

FIRST:

A certain lot of ground situated in the Parish of Assumption, State of Louisiana, in Section 66, Township 11 South, Range 14 East, and being identified as Lot 7 shown on a plat of survey prepared by Russell J. Milligan, Sr., E.C., dated January 29, 1973, a copy of which plat is duly recorded in COB 107, under Entry No. 105790 of the Conveyance Records of the Parish of Assumption, State of Louisiana, to which reference is herein made for greater accuracy of description. Said Lot 7 measures 89 feet front on Louisiana State Highway No. 1 by a depth on the East side of 90 feet and a depth on the West side of 86.77 feet with a width in the rear of 89 feet. Together with all rights, ways, privileges and servitudes thereon and thereunto belonging and appertaining.

SECOND:

1985 SEVILLE HS, VIN No. GDAL12855474

Purchaser declares that the above described manufactured home shall remain permanently attached to the above described lot and that it is his intention to immobilize said manufactured home pursuant to LSA-R.S. 9:149.4.

SUBJECT TO: All building restrictions, mineral reservations, easements, servitudes and rights of way of record including but not limited to the five (5') foot servitude located on the West Side of Lot No. 7.

ACQUISITION: It being the same property acquired by Rohi Emran and Beverly A. Emran from the Succession of Floyd W. Turner, by and through Leotho F. Turner, the duly appointed administratrix, by act of Cash Sale with Acknowledgments dated December 31, 1991, and duly recorded in the records of Assumption Parish Louisiana at COB 177, under Entry No. 165683.

The municipal address of the above described property is declared to be 7441 Highway 1, Donaldsonville, LA 70346.

To have and hold the said property unto the said purchaser forever. This present sale and conveyance is made and accepted for and in consideration of the sum and price of Fifteen Thousand and 00/100 (\$15,000.00) lawful current money of the United States of America, which amount the said purchaser has paid in ready CASH, receipt of which is hereby acknowledged by the vendor, and full discharge and acquittance granted therefor and other valuable consideration.

Whenever the word "vendor" is used in this act, it shall be construed to include "vendors" and whenever the word "purchaser" is used it shall be construed to include "purchasers."

All the agreements and stipulations herein contained, and all the obligations herein assumed shall inure to the benefit of and be binding upon the heirs, successors, assigns of the respective parties hereto.

The parties to this act waive the production of all mortgage and conveyance certificates and all other necessary certificates and researches, and agree to release and relieve the undersigned Notary and/or Attorney, from all responsibility and liability in connection with the non-production thereof.

The taxes assessed against the property herein conveyed for the year 2001 will be paid by purchaser.

FILED FOR RECORD
AUG 21 1991

COB- 225

000617

TIUS DONE AND PASSED on this 20th day of August, 2001, before me, the undersigned Notary Public, duly commissioned and qualified in and for the Parish of Assumption, State of Louisiana, in the presence of the undersigned competent witnesses, and the appearers, after reading of the whole.

WITNESSES:

[Signature]
[Signature]

[Signature]
Roger T. Jackson
SS# 438-58-5046

[Signature]
Marlon Joseph Jackson
SS# 436-04-3886

[Signature]
Notary Public

THUS DONE AND PASSED on this 20th day of August, 2001, before me, the undersigned Notary Public, duly commissioned and qualified in and for the County of Willamson/State of Mississippi, in the presence of the undersigned competent witnesses, and the appearers, after reading of the whole.

WITNESSES:
[Signature]

SELLER(S):
[Signature]
Rohi Emran
SS# 456-66-3526

[Signature]

[Signature]
Beverly A. Emran
SS# 436-48-8205

[Signature]
Notary Public

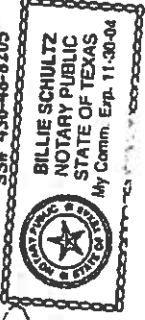


EXHIBIT B

SF-17
Rev. 10/10

STATE OF LOUISIANA
DEPARTMENT OF HEALTH AND HOSPITALS
OFFICE OF PUBLIC HEALTH
Sanitarian Services

SEWAGE COMPLAINT FORM

Complainant's Name: Jesse Means-DEQ Date: 10-16-13
(Person filing complaint)
Physical Address: _____
Mailing Address: _____
Telephone #: _____ Email: jessie.means@la.gov

Detailed Description of Problem: (Please be specific and draw sketch on back if necessary).

DEQ - Hot Spot - location possibly contributing
Swage to Bayou Lafourche.

How long has this condition/problem existed? unknown
Has this condition/problem been reported previously? Yes ☐ No ☒
If yes, to who was it reported? _____ Date previously reported: _____
What action(s) was taken? _____

Name(s) of person(s) against whom you are making this COMPLAINT: Roger Jackson
Name: _____ Telephone #: _____

Address: 11441 Hwy 1, Donaldsonville / 115 Million Dr. Donaldsonville

Is the person(s) against whom the complaint is made the owner of the property? Yes ☐ No ☐
If No, please provide property owner information: _____

Name: _____ Telephone #: _____
Address: _____

I UNDERSTAND THAT THIS DOCUMENT WILL BECOME PART OF A PUBLIC RECORD AND THAT
THE OFFICE OF PUBLIC HEALTH WILL INSPECT MY PROPERTY FOR COMPLIANCE AS WELL.

See attached. 10-16-13
Complainant Signature Date:

FOR OFFICE USE ONLY LOG #: October 4 DATE: 10-16-13
Individual Receiving Complaint: C. Dickerson
Comments: _____

Complaint	Yes	No	Date	Action Taken	Yes	No	Date
Investigated	☒		10-25-13	Written Notice			
Previously Investigated				Conference			
Justified	☒		10-25-13	Compliance Order			
Re-inspection				2 nd Notice			
Re-inspection				3 rd Notice			

Conditions Found: Existing unapproved system located at 7441 Hwy 1.
There is raw sewage discharging into side ditch on property
(which drains to ditch along Hwy 1.) Also, there is
an existing unapproved system with an inadequate cover,
(the address is 105 Million Dr.). I was unable to determine
if the house is occupied.

Sanitarian Investigating Complaint : [Signature] R.S.: 1332 Date: 10/25/13

Courtney Dickerson (DHH)

From: Jesse Means <Jesse.Means@LA.GOV>
Sent: Wednesday, October 16, 2013 1:06 PM
To: Courtney Dickerson (DHH)
Cc: Chasity Cheramie; 'Alma Robichaux'; Mary Gentry; John Jennings
Subject: Sewage Inspection Request
Attachments: ASSU-1 Pop-up.docx

Ms. Dickerson, below is a list of addresses located near sample site ASSU-1 that we have met about. These addresses are down Bayou Lafourche from the Ascension/Assumption Parish boundary.

7443, 7441, 7439, 7436, and 7427 Hwy. 1

Based on a preliminary site inspection by DEQ these locations possibly discharge sewage to the sample site. DEQ requests a sewage inspection for any property that discharges sewage that can reach the sample site.

I have attached a summary of the sample results for ASSU-1 that also contains a location description. To recap what we discussed in previous meetings sewage was found at this location during a project conducted by LDEQ and Nichols State University to identify areas of fecal coliform input from humans (i.e. sewage) to the bayou from Donaldsonville to Labadieville. Bayou Lafourche has consistently failed to meet its designated use criteria for primary and secondary contact recreation and dissolved oxygen. It is also the drinking water source for 300,000 people. A rotating AM/PM temporal spatial sampling was conducted at 34 sites for one year. Samples were analyzed for optical brighteners found in laundry detergents and three human markers (human polyoma virus, Archaen Methanobrevibacter smithii and human-associated Brevibacterioids HF 183 eubacteria) to confirm the fecal coliform sources are of human origin. Twelve hot spots were identified as human source sites draining to the bayou. Site ASSU-1 is one of two sites consistently showing the highest readings in the study. It is a ditch located at 7436 Highway 1 and there are five homes in the area that may potentially discharge to the ditch. The water in the ditch is grey-green in color and has a strong sewage odor and toilet paper was observed in the ditch during one sampling event. The addresses of the five homes in the area of sample site ASSU-1 were previously provided to DHH for a records search of registered sewage treatment systems. Two addresses were found to have registered ATUs but there were no records for the remaining three addresses.

Please let me know if you need anything else to move forward with our plans to address the sewage problem identified at this location.

Thanks,
Jesse Means, DEQ

INSPECTIONS OF EXISTING UNAPPROVED SEWERAGE SYSTEMS

EXHIBIT C

I. OWNER/AGENT:

Name: Roger Jackson Business Phone: ()
Address: P O Box 426 Home Phone: ()
(street) Belle Rose, LA 70341
(city) (state) (zip)

II. SITE INFORMATION: x Occupied; Vacant since (date)

Site Address: 7441

Street Name: Hwy 1; Donaldsonville (city) (state) (zip) Subdivision

Dimensions:

Front ft.; Depth ft., Sq. Ft. Acres

Proposed Use:

Residence; Camp; x Mobile Home; Commercial;
Other

No. of Bedrooms

Water Supply: x Community; Private

III. EXISTING INDIVIDUAL SEWERAGE SYSTEM:

() Acceptable
(x) Unacceptable - Violations:

- (x) Raw sewage discharging () Bathtub, sink, washing machine discharging
() Failing absorption field () Rusted and broken septic tank
() Located within 50' of any water wells

Additional Comments: raw sewage discharging into side ditch on property (to Hwy ditch)

Approved System Required x (Attach this sheet to the Temporary Permit)
SANITARIAN CONDUCTING SURVEY: [Signature] # 1302 Date 10/25/11

SEPTIC TANK REPLACEMENT (SIZE): TAG NO.

RECONDITIONING (DESCRIBE):

AUTHORIZATION BY SANITARIAN: # Date:

VERIFICATION BY SANITARIAN: # Date:

I, the undersigned, agree, if this existing system should fail in the future, to install an approved sewage treatment system meeting the requirements set forth in Part 13 of the Louisiana State Sanitary Code.

SIGNATURE OF APPLICANT: Date:

INSPECTIONS OF EXISTING UNAPPROVED SEWERAGE SYSTEMS

EXHIBIT C1

I. OWNER/AGENT:

Name: Roger Jackson Business Phone: ()

Address: P O Box 426 Home Phone: ()

(street)
Belle Rose, LA 70341
(city) (state) (zip)

II. SITE INFORMATION: Occupied; Vacant since (date)

Site Address: 105

Street Name: Millien Drive; Donaldsonville, LA 70346 Subdivision
(street) (city) (state) (zip)Dimensions:
Front ft.; Depth ft., Sq. Ft. Acres

Proposed Use:

x Residence; Camp; Mobile Home; Commercial;
Other

No. of Bedrooms

Water Supply: Community; Private

III. EXISTING INDIVIDUAL SEWERAGE SYSTEM:

() Acceptable
(x) Unacceptable - Violations:

- () Raw sewage discharging () Bathtub, sink, washing machine discharging
() Failing absorption field () Rusty and broken septic tank
() Located within 50' of any water wells

Additional Comments: inadequate cover on system; unable to determine if house is occupied

Approved System Required x (Attach this sheet to the Temporary Permit)

SANITARIAN CONDUCTING SURVEY:

1332 Date: 10/25/11

SEPTIC TANK REPLACEMENT (SIZE):

TAG NO.

RECONDITIONING (DESCRIBE):

AUTHORIZATION BY SANITARIAN:

Date:

VERIFICATION BY SANITARIAN:

Date:

I, the undersigned, agree, if this existing system should fail in the future, to install an approved sewage treatment system meeting the requirements set forth in Part 13 of the Louisiana State Sanitary Code.

SIGNATURE OF APPLICANT:

Date:



Bobby Jindal
GOVERNOR

Kathy H Kliebert
SECRETARY

State of Louisiana

Department of Health and Hospitals
Office of Public Health

SL-01-LAC
(Rev. 2/03)

November 6, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Roger Jackson
P O Box 426
Belle Rose, LA 70341

RE: NOTICE OF VIOLATION-Existing Systems located at 7441 and 105 Millien Drive, Donaldsonville, LA

Dear Mr. Jackson:

An inspection of the above referenced property was conducted by a representative of this Department on **October 25, 2013**. The following item was noted not in conformity with the requirements of the Louisiana State Sanitary Code:

1. The existing unapproved sewerage system at 105 Millien Drive has an inadequate cover.
2. There is an apparent discharge line to the ditch on property, which drains into the ditch along Hwy 1.
3. There is septic water present in the ditch along Hwy 1.

This is in violation of the Louisiana Administrative Code, Title 51, State Sanitary Code, Part 13, Chapter 3, Paragraph 305.A. which states:

"A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, into any road, street, gutter, ditch, water course, body of water, or onto the surface of the ground."

This letter will also serve to officially notify you of Part 13, Chapter 7, Paragraph 701.A and 701.B. of the Louisiana State Sanitary Code which regulate the installation of approved individual sewage disposal systems.

PART 13 SEWAGE DISPOSAL

§701.A. PERMITS: A person shall not install, cause to be installed, alter subsequent to installation, or operate an individual sewage system of any kind without first having obtained a permit from the State Health Officer. No person shall install, cause to be installed, or alter subsequent to installation an individual sewerage system of any kind except in accordance with the plans and specifications for the installation which have been approved as a part of a permit issued by the State Health Officer. Such permits shall be issued in a two-stage process in accordance with §701.B and §701.C.

§701.B.: Upon receipt of a request for such permit, and approval of plans and specifications for the proposed individual sewerage system (which shall accompany any such request for permit), a temporary permit, authorizing the installation of said system, may be issued. Any such temporary permit shall be in writing and shall not be issued until, with respect to the property and its surroundings, the State Health Officer has determined that connection to a community-type sewerage system is not feasible, and that the condition of the soil, drainage patterns, the lot size/dimensions, and other related factors are such that the construction and use of properly designed individual sewerage facilities are not likely to create a nuisance or public health hazard.

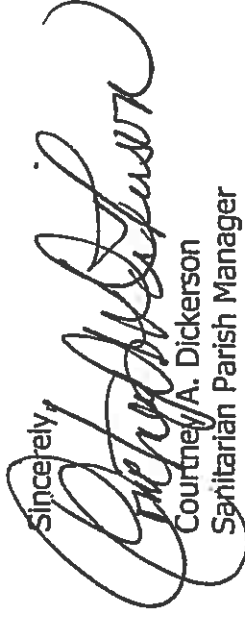
Since all plans for the installation or alteration of sewage disposal systems must be approved in advance, you are hereby requested to come into this office to apply for a permit to install an approved sewage disposal system no later than

November 25, 2013. Please provide us with a plot plan or legal description of the property so recommendations for the proper size and type of system can be made.

The required system must be installed no later than **December 27, 2013.**

Failure to install this system by **December 27, 2013,** could result in enforcement actions by this Agency, not limited to fines, sanctions and other penalties as allowed by law.

Sincerely,



Courtney A. Dickerson
Sanitarian Parish Manager

cc: Chasity Cheramie, Sanitarian Regional Director

OFFICE OF PUBLIC HEALTH • ASSUMPTION PARISH HEALTH UNIT
SANITARIAN SERVICES
158 HIGHWAY 1008 • NAPOLEONVILLE, LA 70390
Phone #: 985/369-3565 • Fax #: 985/369-4424

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OFFICIAL USE

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 NAPOLEONVILLE, LA 70360
 NOV 8 2013
 Postmark

Postage	\$ 46
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	0.11
Total Postage & Fees	\$ 6.11

Send to:
 Street Apt. No.:
 City, State, ZIP+4:
 Belle Rose, LA 70341

PS Form 3811, February 2004

7008 1300 0001 5529 2287

PS Form 3811, February 2004

Domestic Return Receipt

102525-02-M-1540

2. Article Number (Transfer from service label)
 7008 1300 0001 5529 2287

1. Article Addressed to:
 Roger Jackson
 PO Box 494
 Belle Rose, LA 70341

3. Service Type
☒ Certified Mail
☐ Express Mail
☒ Registered
☐ Insured Mail
☐ C.O.D.
☐ Restricted Delivery? (Extra Fee) ☐ Yes

4. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below:

B. Received by (Printed Name)
 Michael P

C. Date of Delivery
 11-18-13

D. ☐ Agent
☐ Addressee

COMPLETE THIS SECTION ON DELIVERY

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
☐ Print your name and address on the reverse so that we can return the card to you.
☐ Attach this card to the back of the mailpiece, or on the front if space permits.



Temporary Permit
for On-Site Wastewater Treatment System
Department of Health and Hospitals
Office of Public Health

EXHIBIT E

IMPORTANT
DO NOT DESTROY
KEEP WITH HOUSE
DOCUMENTS

Permit Number:	1234616	Date Temp Issued:	10/25/2013
Applicant's Name:	Jackson, Roger	Phone Number:	(225)4733-400
Mailing Address:	7441 Hwy 1, Donaldsonville, Louisiana 70346 -		
Lot/Square Number:	Lot 7	Subdivision:	
Site Address:	7441, Donaldsonville, Louisiana 70346 -		
Property Latitude:		Property Longitude:	
Section:	66	Township:	11S
Dimensions:	89 Ft X 88 Ft	Square Feet:	7832
Notes:	Replacing Failing System		
Parish:	Assumption		
Range:	14E		
Percolation Avg:	Not Run	Water Supply:	Community
Design Basis:	3 Bedrooms	Proposed Use:	Mobile Home
Average Flow:	400GPD	Type System:	ATU with ER
Discharge Location:	Open Ditch along Hwy 1 via side drainage ditch		
System Specifications:	100 Feet of Effluent Reduction Field		
Sanitarian's Number:	1332	Sanitarian's Name:	Dickerson Courtney

Signature Of Sanitarian

OPH and DHH do not assume any liability or responsibility for electrical components of this system.

I have read and understood Affidavit of Perpetual Maintenance (SF-11) CJ

I have read and understood Applicant Notification and Acknowledgment (SF-10) CJ

I have read and understood Consumer Alert (SF-15) CJ

Affidavit: I hereby affirm that the above information is true and correct to the best of my knowledge and understand that failure to have the above system installed and maintained in accordance with the provisions of the Louisiana State Sanitary Code will be grounds for revocation of this permit

Robert J. Jackson Date 10/17/14
Signature Of Applicant

TEMPORARY

http://ophsets/sets/reports/temporary_permit.asp

1/17/2014

INSPECTIONS OF EXISTING UNAPPROVED SEWERAGE SYSTEMS

I. OWNER/AGENT:

EXHIBIT F

Name: Roger Jackson c/o Clevette Dorsey Business Phone: ()
Address: 7441 Hwy. 1 S Home Phone: (225) 473-3400
(street)

Donaldsonville, LA 70346
(city) (state) (zip)

II. SITE INFORMATION: X Occupied; Vacant since

Site Address: 7441

Street Name: Hwy. 1 Donaldsonville, LA 70346 Subdivision:
(Street) (City) (State) (zip)

Dimensions:
Front ft.; Depth ft., Sq. Ft. Acres

Proposed Use:
Residence; Camp; X Mobile Home; Commercial;
Other

No. of Bedrooms

Water Supply:
X Community; Private

III. EXISTING INDIVIDUAL SEWERAGE SYSTEM:

() Acceptable
(X) Unacceptable - Violations:

() Raw sewage discharging () Bathtub, sink, washing
machine discharging
() Failing absorption field () Rusty and broken septic tank
() Located within 50' of any
water wells

Additional Comments: Raw sewage is discharging from mobile home into side
ditch that drains into Hwy. 1 ditch.

Approved System Required X (Attach this sheet to the Temporary Permit)

SANITARIAN CONDUCTING SURVEY: James J. J. # 1333 Date: 7/31/14

SEPTIC TANK REPLACEMENT (SIZE): TAG NO.

RECONDITIONING (DESCRIBE):

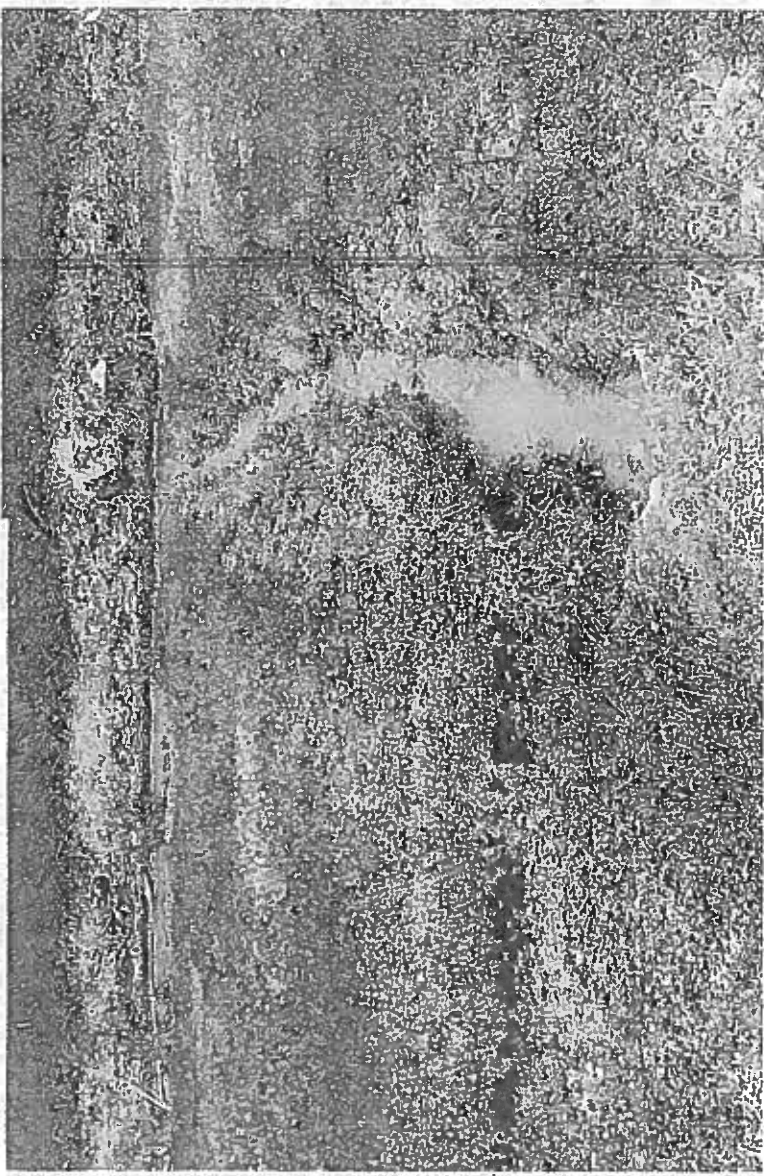
AUTHORIZATION BY SANITARIAN: # Date:

VERIFICATION BY SANITARIAN: # Date:

I, the undersigned, agree, if this existing system should fail in the future, to
install an approved sewage treatment system meeting the requirements set forth
in Part 13 of the Louisiana State Sanitary Code.

SIGNATURE OF APPLICANT: Date:

Picture taken by Tamerage Granier,
Sanitarian, on 7/31/14.



Picture shows ditch where unapproved
sewage system is discharging partially
treated sewage from mobile home located
at 7441 Highway 1, Donaldsonville,
LA 70346

INSPECTIONS OF EXISTING UNAPPROVED SEWERAGE SYSTEMS

I. OWNER/AGENT:

EXHIBIT F2

Name: Roger Jackson c/o Clevette Dorsey Business Phone: ()
Address: 7441 Hwy. 1 S Home Phone: (225) 473-3400
(street)

Donaldsonville, LA 70346
(city) (state) (zip)

II. SITE INFORMATION: Occupied; ☒ Vacant since _____Site Address: 105Street Name: Millien Dr, Donaldsonville, LA 70346 Subdivision: _____
(Street) (City) (State) (Zip)Dimensions:
Front _____ ft.; Depth _____ ft., Sq. Ft. _____ Acres _____Proposed Use:
☒ Residence; _____ Camp; _____ Mobile Home; _____ Commercial;
Other _____

No. of Bedrooms _____

Water Supply: _____
☒ Community; _____ Private

III. EXISTING INDIVIDUAL SEWERAGE SYSTEM:

() Acceptable
(☒) Unacceptable - Violations:

() Raw sewage discharging () Bathtub, sink, washing
machine discharging
() Failing absorption field () Rusted and broken septic tank
() Located within 50' of any
water wells

Additional Comments: The existing unapproved sewage system has an inadequate cover. The only door to the house has no handle for the door and there is a nail pushed on the side of the door to keep people from going in the house.

Approved System Required ☒ (Attach this sheet to the Temporary Permit)SANITARIAN CONDUCTING SURVEY: Armeny Davis # 1333 Date: 7/31/14

SEPTIC TANK REPLACEMENT (SIZE): _____ TAG NO. _____

RECONDITIONING (DESCRIBE): _____

AUTHORIZATION BY SANITARIAN: _____ # _____ Date: _____

VERIFICATION BY SANITARIAN: _____ # _____ Date: _____

I, the undersigned, agree, if this existing system should fail in the future, to install an approved sewage treatment system meeting the requirements set forth in Part 13 of the Louisiana State Sanitary Code.

SIGNATURE OF APPLICANT: _____ Date: _____

EXHIBIT F3



Donaldsonville, LA 70346



State of Louisiana
Department of Health and Hospitals

August 14, 2014

CERTIFIED MAIL: 70121010000236211384 OR VIA HAND DELIVERY
RETURN RECEIPT REQUESTED

Roger Jackson
C/O Clevette Dorsey
7441 Hwy 1 S
Donaldsonville, La 70346

RE: NOTICE OF VIOLATION(S) AT 7441 HWY 1, DONALDSONVILLE, LA 70346

Dear Sir or Madam:

A re-inspection of the sewage system at the above referenced property was conducted by a representative of our Department on July 31, 2014, to determine compliance of previously noted violations of the Louisiana Administrative Code, Title 51 (Public Health Sanitary Code), Part XIII. You were notified by certified mail, return receipt signed by Michael P., on November 6, 2013 to apply for a temporary permit to install a properly functioning onsite wastewater treatment system within 15 days of the letter. You were further notified to have a properly functioning onsite wastewater treatment system installed within 45 days of receipt of the notice of violation letter. The re-inspection found continued violations of the Louisiana Administrative Code, Title 51 (Public Health Sanitary Code), Part XIII as follows:

1. Raw sewage is discharging onto the surface of the ground.

This is in violation of the Louisiana Administrative Code, Title 51, State Sanitary Code, Part 13, Chapter 3, Paragraph 305.A. which states:

"A person shall not directly or indirectly discharge, or allow to be discharged, the contents or effluent from any plumbing fixtures, vault, privy, portable toilet, or septic tank, into any road, street, gutter, ditch, water course, body of water, or onto the surface of the ground."

Since you have not corrected the ongoing violations, we are requesting that you attend an informal conference so that we can determine why you continue to be in violation. Further, we'd

OFFICE OF PUBLIC HEALTH • ASSUMPTION PARISH HEALTH UNIT
158 Hwy 1008 • Napoléonville, LOUISIANA 70390
PHONE # (985) 369-3565 • FAX # (985) 369-4424
"AN EQUAL OPPORTUNITY EMPLOYER"

like to discuss an appropriate course of action to resolve your continued non-compliance. If you do not comply with this letter, this office will be forced to seek legal action which can result in fines of up to \$100.00 per day, per violation, up to a maximum of \$10,000.00 per year.

The conference is to be held at the Assumption Parish Health Unit, 158 Hwy 1008, Napoleonville, La 70390, at 2:00pm on September 18, 2014. You will need to bring the deed, bill of sale, or act of donation that contains the description of the property.

If you have questions, you can contact me at lauren.comeaux@la.gov or (985)369-3565. Also, our office hours are from 8-9:30am Tuesday and Thursday.

Sincerely,

A handwritten signature in cursive script that reads "Lauren Comeaux".

Lauren Comeaux R.S.
Parish Sanitarian Manager

cc: Chasity Cheramie, Region 3 Sanitarian Director

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Roger Jackson
c/o Clevette Jackson
7441 HWY 1 S
Donaldsonville LA 70344

2. Article Number

(Transfer from service label)

7012 1010 0002 3621 1384

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-1A-15-00

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Yvette Steward* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent to Roger Jackson c/o Clevette Dorsey
Street, Apt. No., 7441 HWY 1 S
or PO Box No.
City, State, ZIP+4[®] Donaldsonville LA 70344

PS Form 3800, August 2000 See Reverse for Instructions

7012 1010 0002 3621 1384

MEETING SIGN-IN SHEETPROPERTY ADDRESS: 7441 HWY 1 / 105 MILLER DR, DONALDSONVILLEDATE AND TIME OF MEETING 9/18/14 2 PMLOCATION OF MEETING: ASSUMPTION PARISH HEALTH UNIT

NAME	MAILING ADDRESS	EMAIL ADDRESS/ PHONE NUMBER	BUSINESS/ AGENCY REPRESENTING
CHASITY CHERAMIE	1431 TIGER DR THIBODAX 70301	chesity.chevemie@la.gov (985) 449-5007	DHH-OPH
LAUREN COMEAU	158 HWY 1008, Napoleonville (LA 70390)	lauren.comeau@la.gov (985) 369-3565	DHH-OPH

Bobby Jindal
GOVERNOR



Kathy Kliebatt
SECRETARY

EXHIBIT I

State of Louisiana Department of Health and Hospitals

September 18, 2014

CERTIFIED MAIL (70121010000236211421)
RETURN RECEIPT REQUESTED

Roger Jackson
C/O Clevette Dorsey
7441 Hwy 1 S
Donaldsonville La 70346

RE: NOTICE OF VIOLATION(S) AT 7441 HWY 1, DONALDSONVILLE, LA 70346

Dear Sir or Madam:

A letter was mailed-certified mail, return receipt requested on August 14, 2014, requesting that you attend a conference on September 18, 2014 at the Assumption Parish Health Unit in order to review the inspection reports of the above referenced property and assess the severity of the situation. A compliance agreement could not be reached since you failed to attend.

Your records were reviewed in your absence. Please be advised that this office has no alternative than to request the State Health Officer to issue a Compliance Order to have you correct the continued violations of the Louisiana Administrative Code, Title 51, State Sanitary Code, Part XIII.

Failure to correct the violations can result in civil fines up to \$100 day per violation up to a maximum of \$10,000 per calendar year and all other remedies allowed by law.

Please be advised that the issuance of the Compliance Order can only be prevented if compliance is verified by this office by October 21, 2014.

If you have questions, you can contact me at lauren.comeaux@la.gov or (985)369-3565. Also, our office hours are from 8-9:30am on Tuesday and Thursday.

Sincerely,

Lauren Comeaux
Lauren Comeaux R.S.
Assumption Parish Manager

cc: Chasity Cheramie, Region 3 Sanitarian Director

OFFICE OF PUBLIC HEALTH • ASSUMPTION PARISH HEALTH UNIT
158 Hwy 1008 • Napoleonville, LOUISIANA 70390
PHONE # (985) 369-3565 • FAX # (985) 369-4424
"AN EQUAL OPPORTUNITY EMPLOYER"

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:

Roger Jackson
c/o Clevette Dorsey
7441 Hwy 15
Donaldsonville LA 70346

2. Article Number
(Transfer from service label)

7012 1010 0002 3621 1421

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Lettie Steward*

☐ Agent
☐ Addressee

B. Recipient's Printed Name

L Steward

☐ Addresser
☐ Date of Delivery
2/17/04

D. Is delivery address different from item 1?

☐ Yes
☐ No

If YES, enter delivery address below:

3. Service Type

☐ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ G.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes
☐ No

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OFFICIAL USE

Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

Postmark
Here

18

Sent to

Roger Jackson

Serial, Zip No.,
or PO Box No.

7441 Hwy 15

City, State, ZIP+4

Donaldsonville LA 70346

PS Form 3800, August 2003

See back for instructions

7012 1010 0002 3621 1421

EXISTING UNAPPROVED ONSITE WASTEWATER TREATMENT SYSTEM

Notice of Violation

PREVIOUSLY PERMITTED: PERMIT#: DATE INSTALLED:

Reason for Inspection: Complaint Received

OWNER/AGENT:

Name: Roger Jackson/Clevette Dorsey Home Phone/cell:

Address: 7441 Hwy 1S, Donaldsonville, La 70346

Other Means of Contact: Email address:

SITE INFORMATION: Occupied: Yes Rental Property: Vacant since:

Occupant Name: Occupant Phone/cell:

Site Address: 7441 Hwy 1S, Donaldsonville, La 70346

Water Supply: Community Proposed Use: Mobile Home

Number of Bedrooms: Three

EXISTING INDIVIDUAL ONSITE WASTEWATER TREATMENT SYSTEM:

Type of System: Cesspool System Condition: System not repairable must replace

Description of System Condition:

System has discharge pipes to the ditch.

System Violations Detailed:

Date Violations Must Be Corrected:

Signature of Occupant/Owner:

Date Signed:

(By signing this form, the occupant/owner understands that if violations are not corrected by the above date, then further legal action will be taken to ensure compliance is met, which can result in fines of up to \$100.00 per day per violation up to a maximum of \$10,000.00 penalty per year, and any other remedies allowed by law).

Signature of Sanitarian Conducting Inspection: Lauren Comeaux

#: 1792

Date of Inspection: 10/21/2014

Pictures Taken: 133

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

CERTIFICATION OF
COMPLIANCE ORDER

BE IT KNOWN THAT on the date hereinafter noted, before me, the undersigned Notary Public, did personally appear:

Jimmy Guidry, M.D., State Health Officer

Who did declare that, pursuant to the requirements of La. R.S. 40:6(G)(1), he does hereby certify that the attached records of the Louisiana Department of Health, consisting of 28 sheets of paper, constitute a true, correct, and complete copy of the *Compliance Order* number OPH-2015-OW-002 issued by said department, including any and all addenda, exhibits, and attachments made a part thereof. Who did further declare that, in his capacity as State Health Officer, he is authorized to act as custodian of all such compliance orders, and is further authorized to make any necessary certifications with respect thereto.


Jimmy Guidry, M.D.
State Health Officer

THUS DONE AND SIGNED before me, the undersigned Notary Public, this 14th day
of NOVEMBER, 2016.


NOTARY PUBLIC

SANDRA A. JELKS
NOTARY PUBLIC
State of Louisiana
Commission Is Issued For Life
My Bar Roll No. 22088

DEPARTMENT OF HEALTH & HOSPITALS

OFFICE OF PUBLIC HEALTH

Department of Health & Hospitals

Vs.

Clevette Jackson-Dorsey and Marion Jackson
7441 Hwy 1 and 105 Millien Dr,
Donaldsonville, La 70346

RETURN FOR PERSONAL SERVICE

DOMICILIARY SERVICE

On the ____ day of ____, 20__ I served a
Compliance Order on
_____.

On the 7 day of April, 2015

I served a Compliance Order on Clevette Jackson-
Dorsey and Marion Jackson by leaving same at

7441 Hwy 1, Donaldsonville, La 70346

the dwelling-house or usual place of abode of
Clevette Jackson-Dorsey and/or Marion Jackson
in the hands of Clevette Jackson-Dorsey, a person
of suitable age and discretion, residing therein as a
member of within named person's domiciliary
establishment.

Date of Return:

Date of Return: April 7, 2015

Process Server

Process Server:

Laurin Lomant
Clevette Dorsey

SECOND NOTICE AND ORDER OF IMPOSITION OF PENALTIES
(RE: Compliance Order No. OPH-2015-OW-002)

CERTIFIED MAIL
7015 0640 0005 0161 5706

Date: November 17, 2015

Notice Issued to: Clevette Jackson-Dorsey & Marion Jackson (hereinafter "Respondent")

Notice Mailed to: PO BOX 426
Belle Rose, LA 70341

Our records indicate that some or all of the violations cited in the above referenced Compliance Order, issued to you on or about April 7, 2015, were not corrected by the deadline(s) set forth therein. Notice of such noncompliance was set forth in the Post Order Inspection Report that this office issued on or about May 5, 2015, noting therein that penalties would begin to immediately accrue on a daily basis until this office received written notice (and thereafter verified) that the violations had been corrected. As of the date first noted hereinabove, no such notice has been received.

Notice is hereby given that pursuant to Louisiana Administrative Code Title 51, Part 1, §113, a penalty in the amount set forth below is ordered and imposed against the above named Respondent(s). Unless an appeal is requested or application for mitigation is submitted as set forth herein, said penalty shall be due and payable 20 calendar days after your receipt of this notice.

You have the right to request a reduction/mitigation of the penalty by sending a written request to the State Health Officer within 20 calendar days of your receipt of this notice. Your written request for a reduction/mitigation should be addressed to the State Health Officer, Onsite Wastewater Program, P.O. Box 4489, Baton Rouge, LA 70821-4489, and may describe any amounts spent on obtaining compliance, and any other factors which may have affected your ability to address the violations.

You also have the right to appeal this penalty imposition by filing a written request for an administrative appeal with the Division of Administrative Law, within 20 calendar days of your receipt of this notice. This appeal should be mailed to: Onsite Wastewater Program, P.O. Box 4489, Baton Rouge, LA 70821-4489.

If you do not request mitigation or seek an appeal within the time delays noted herein, this office may thereafter institute all necessary civil action to collect the penalty imposed herein.

Calculation of Penalty:

May 5, 2015 through November 17, 2015 = 197 days

197 days @ \$100.00 per 1 Class A violations (Class A Violation-see Louisiana Administrative Code-Title 51-Part I, §113.A.3.i.) = \$19,700.00

Total Penalty: \$19,700.00

Maximum penalty per year is \$10,000.00 now due and payable to DHH/OPH.

SO ORDERED at Baton Rouge, Louisiana:



SECOND NOTICE AND ORDER OF IMPOSITION OF PENALTIES
(RE: Compliance Order No. OPH-2015-OW-002)

HAND DELIVERY

Date: November 17, 2015

Notice Issued to: Clevette Jackson-Dorsey & Marion Jackson (hereinafter "Respondent")

Notice Mailed to: PO BOX 426
Belle Rose, LA 70341

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Calculation of Penalty:

May 5, 2015 through November 17, 2015 = 197 days

197 days @ \$100.00 per 1 Class A violations (Class A Violation-see Louisiana Administrative Code-Title 51-Part I, §113.A.3.i.) = \$19,700.00

Total Penalty: \$19,700.00

Maximum penalty per year is \$10,000.00 now due and payable to DHH/OPH.

SO ORDERED at Baton Rouge, Louisiana:


Jimmy Guidry, M.D.


Kathie Elchak, C.E.N.C.

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

CERTIFICATION OF
NOTICE AND ORDER OF IMPOSITION OF PENALTIES

BE IT KNOWN THAT on the date hereinafter noted, before me, the undersigned Notary Public did personally appear:

Jimmy Guidry, M.D., State Health Officer

Who did declare that, pursuant to the requirements of La. R.S. 40:6(G)(1), he does hereby certify that the attached records of the Louisiana Department of Health, consisting of 2 sheet(s) of paper, constitute a true, correct, and complete copy of the *Notice and Order of Imposition of Penalties* issued by said department and hand delivered, by a representative of the Office of Public Health, to Clevette Jackson-Dorsey & Marion Jackson on April 19, 2016, including any and all addenda, exhibits, and attachments made a part thereof. Who did further declare that, in his capacity as State Health Officer, he is authorized to act as custodian of all such compliance orders, and is further authorized to make any necessary certifications with respect thereto.


Jimmy Guidry, M.D.
State Health Officer

THUS DONE AND SIGNED before me, the undersigned Notary Public, this 14TH day
of NOVEMBER, 2016.


NOTARY PUBLIC

SANDRA A. JELKS
NOTARY PUBLIC
State of Louisiana
My Commission Is Issued For Life
Louisiana Bar Roll No. 22088

STATE OF LOUISIANA

DEPARTMENT OF HEALTH & HOSPITALS

OFFICE OF PUBLIC HEALTH

Department of Health & Hospitals
Vs.

Clevette Jackson-Dorsey & Marion Jackson

PROCESS SERVER'S RETURN

RETURN FOR PERSONAL SERVICE

DOMICILIARY SERVICE

On the ____ day of _____, 20__ I served an
Imposition and Order of Penalties on
_____.

On the 19 day of April, 2011,
I served an Imposition and Order of Penalties on
Clevette Jackson-Dorsey & Marion Jackson by leaving same at
7441 Hwy 1, Donaldsonville the dwelling-house or
usual place of abode of Marion Jackson in
the hands of Charles Johnson, a person of
suitable age and discretion, residing therein as a
member of within named person's domiciliary
establishment.

Date of Return:

Process Server

Date of Return: 4/19/11

Process Server

Lauren Lincaut
Clevette Jackson

Time In: 11:15

Name of Facility:

Owner: Clevette Jackson Dorsey & Marion Jackson

Location/Address: 7441 Hwy 1

City State Zip **Donaldsonville, La 70346**

Critical Items: These items relate directly to the protection of the public from illness.

Louisiana Administrative Code, Title 51, Part: XIII

Code	Reference(s)	Description of Violation(s)
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17
18	18	18
19	19	19
20	20	20
21	21	21
22	22	22
23	23	23
24	24	24
25	25	25
26	26	26
27	27	27
28	28	28
29	29	29
30	30	30
31	31	31
32	32	32
33	33	33
34	34	34
35	35	35
36	36	36
37	37	37
38	38	38
39	39	39
40	40	40
41	41	41
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43	43	43
44	44	44
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61	61	61
62	62	62
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64	64	64
65	65	65
66	66	66
67	67	67
68	68	68
69	69	69
70	70	70
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72	72	72
73	73	73
74	74	74
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77	77	77
78	78	78
79	79	79
80	80	80
81	81	81
82	82	82
83	83	83
84	84	84
85	85	85
86	86	86
87	87	87
88	88	88
89	89	89
90	90	90
91	91	91
92	92	92
93	93	93
94	94	94
95	95	95
96	96	96
97	97	97
98	98	98
99	99	99
100	100	100

Chapter 3, Part 305.A.

Raw sewage is being discharged on the surface of the ground.

Non-Critical Items: These items relate to design, sanitation, and maintenance of operations. Louisiana Administrative Code, Title 51, Part:

Code Reference(s):	Description of Violation(s):

Sanitarian Name/Print:

Phone:

Lauren Comeaux
(985) 369-3565

Sanitarian Signature:

R.S.#

1792

The above cited violations remain in non-compliance with Compliance Order # **OPH-2015-OW-002** and daily penalty assessments shall begin to accrue immediately. Penalties from \$25 to \$100 per violation per day up to a maximum of \$10,000 per violator per year may be assessed. The daily penalties shall accrue until such time as the agency has been notified in writing by the person in charge that compliance has been achieved and such compliance verified by agency staff. Send your written notification of compliance to the state health officer at: LDHH OPH/Sanitarian Services, PO BOX 4489, Baton Rouge, LA 70821-4489

Name of Recipient Print:

Title:

Signature of Recipient

Owner not present during inspection



LDH-F

USPS Tracking™



Customer Service ›
Have questions? We're here to help.



Get Easy Tracking Updates ›
Sign up for My USPS.com.

Tracking Number: 70140510000097986625

Product & Tracking Information

Postal Product:
First-Class Mail®

Features:
Certified Mail™

Return Receipt

Available Actions

Text Updates

DATE & TIME

STATUS OF ITEM

LOCATION

Email Updates

May 5, 2015 , 2:58 pm

Delivered

BELLE ROSE, LA 70341

Return Receipt After Mailing

The package is delayed and will not be delivered by the expected delivery date. An updated delivery date will be provided when available. Your item was delivered at 2:50 pm on May 5, 2015 in BELLE ROSE, LA 70341.

May 4, 2015 , 9:02 am

Available for Pickup

BELLE ROSE, LA 70341

May 4, 2015 , 9:00 am

Arrived at Unit

BELLE ROSE, LA 70341

May 3, 2015 , 8:21 pm

Departed USPS Facility

NEW ORLEANS, LA 70113

May 1, 2015 , 10:52 pm

Arrived at USPS Facility

NEW ORLEANS, LA 70113

May 1, 2015 , 4:37 pm

Departed Post Office

NAPOLEONVILLE, LA 70390

May 1, 2015 , 12:46 pm

Acceptance

NAPOLEONVILLE, LA 70390

Track Another Package

Tracking (or receipt) number

Track It

Manage Incoming Packages

Track all your packages from a dashboard. No tracking numbers necessary.

Sign up for My USPS.com ›



PS Form 3800, August 2006 See Reverse for Instructions

Sent to: **Cleveland Jackson Dorsey & Marion Jackson**
 Street Apt. No.: **P.O. Box 440**
 City, State, ZIP+4: **Belle Rose LA 70341**

Postage \$ **\$0.49** Certified Fee \$ **\$3.70** Return Receipt Fee \$ **\$2.70** Endorsement (Required) \$ **\$0.00** Restricted Delivery Fee \$ **\$6.49**

Total Postage & Fees \$ **\$6.49**

05/01/2015

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com
OFFICIAL USE
 BELLE ROSE LA 70341

7034 0510 0000 9798 6625

PS Form 3811, July 2013 Domestic Return Receipt

2. Article Number
 (Transfer from service label)
7034 0510 0000 9798 6625

1. Article Addressed to:
Cleveland Jackson Dorsey & Marion Jackson
P.O. Box 440
Belle Rose LA 70341

3. Service Type
☐ Certified Mail®
☐ Registered
☐ Insured Mail
☐ Return Receipt for Merchandise
☐ Priority Mail Express™
☐ Restricted Delivery? (Extra Fee)
☐ Yes
☐ No

4. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

A. Signature **X Michael Dorsey**
 B. Received by (Printed Name)
 C. Date of Delivery **5/5/15**

5. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

Bobby Jindal
GOVERNOR



Rec'd
5/5/15

Kathy H. Kiebert
SECRETARY

State of Louisiana

Department of Health and Hospitals
Office of Public Health

April 30, 2015

CERTIFIED MAIL-7014051000097986625
RETURN RECEIPT REQUESTED

Clevetter Jackson Dorsey
Marion Jackson
P O Box 426
Belle Rose La 70341

RE: POST ORDER INSPECTION CONDUCTED AT 7441 HWY 1, DONALDSONVILLE,
LA 70346

Dear Madam:

A post order inspection was conducted at 7441 Hwy 1, Donaldsonville, La 70346.
A copy of the inspection report is enclosed.

If you have questions, you can contact me at lauren.comeaux@la.gov or (985)369-3565. Also, our
office hours are from 8-9:30am Tuesday and Thursday.

Sincerely,

A handwritten signature in cursive script that reads "Lauren Comeaux".

Lauren Comeaux R.S.
Assumption Parish Sanitarian Manager

Cc: Chasity Cheramie, Sanitarian Regional Director
Cynthia Pickel, Sanitarian 5/Program Manager/Compliance, Field Operations

Enclosure

OFFICE OF PUBLIC HEALTH - ASSUMPTION PARISH HEALTH UNIT
158 Hwy 1008, Napoleonville, La 70390
Phone (985)369-3565 Fax: (985) 369 2326
"AN EQUAL OPPORTUNITY EMPLOYER"

LOUISIANA DEPARTMENT OF
HEALTH

VERSUS

CLEVETTE JACKSON-DORSEY &
MARION JACKSON

* SUIT NO. _____
*
* 23rd JUDICIAL DISTRICT COURT
*
* PARISH OF ASSUMPTION
*
* STATE OF LOUISIANA
*

AFFIDAVIT

STATE OF LOUISIANA

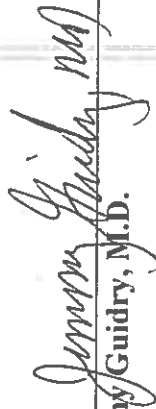
PARISH OF EAST BATON ROUGE

BEFORE ME, the undersigned Notary Public, personally came and appeared:

Dr. Jimmy Guidry, State Health Officer

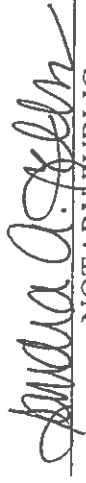
who, after being duly sworn, did depose and state:

That he is the petitioner in the above and foregoing petition, that he has read the above-captioned petition, and that all of the allegations of fact contained therein are true and correct to the best of his information, knowledge, and belief.


Jimmy Guidry, M.D.

SWORN TO AND SUBSCRIBED before me, Notary Public, on this 14th day of

NOVEMBER, 2016.


NOTARY PUBLIC
SANDRA A. JELKS
NOTARY PUBLIC
State of Louisiana
My Commission Is Issued For Life
Louisiana Bar Roll No. 22088

LOUISIANA DEPARTMENT OF HEALTH * SUIT NO. 23rd JUDICIAL DISTRICT COURT
*
VERSUS *
* PARISH OF ASSUMPTION
CLEVETTE JACKSON-DORSEY & *
MARION JACKSON * STATE OF LOUISIANA
*

JUDGMENT

The Court, having reviewed the above and foregoing petition, together with all exhibits and affidavits attached thereto, finds the law and evidence in favor of plaintiff, Louisiana Department of Health, and against the defendants, Clevette Jackson-Dorsey and Marion Jackson (whose dates-of-birth and social security numbers are unknown to plaintiff). Accordingly:

IT IS ORDERED, ADJUDGED, AND DECREED that Compliance Order No. OPH-2015-OW-002, issued by the Louisiana Department of Health to Clevette Jackson-Dorsey and Marion Jackson, a copy of which is attached hereto, is hereby made an executory judgment of this Court; and

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Notice and Order of Imposition of Penalties dated November 17, 2015, issued by the Louisiana Department of Health to Clevette Jackson-Dorsey and Marion Jackson, a copy of which is attached hereto, is hereby made an executory judgment of this Court and, accordingly, judgment is hereby rendered in favor of the plaintiff, Louisiana Department of Health, and against the defendants, Clevette Jackson-Dorsey and Marion Jackson, in the amount of Ten Thousand and 0/100 Dollars (\$10,000.00), together with legal interest thereon from date of judicial demand until paid, and for all costs.

SIGNED in chambers this day of , 2016, at
_____, Louisiana.

JUDGE, 23rd Judicial District Court

PLEASE SERVE NOTICE, PETITION WITH ATTACHMENTS, AND JUDGMENT ON:

Clevette Jackson-Dorsey and
Marion Jackson
7441 Highway 1
Donaldsonville, LA 70346