

NINETEENTH JUDICIAL DISTRICT COURT
PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

NUMBER: 032958

SECTION **SEC. 27**

LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS

v.

TONY JACKSON

PETITION FOR PRELIMINARY AND PERMANENT INJUNCTION

The petition of the **Louisiana Department of Health and Hospitals, Office of Public Health (hereinafter "DHH")**, represented herein by Jimmy Guidry, M.D., its duly appointed State Health Officer, acting herein through undersigned counsel, respectfully represents:

1.

DHH has jurisdiction and authority to enact and enforce the State Public Health Sanitary Code (Louisiana Administrative Code Title 51) pursuant to La. R.S. 40:4, 40:5, and 40:6(C)(2).

2.

Made defendant herein is **Tony Jackson** (hereinafter "Defendant"), a person of full age of majority, domiciled in East Baton Rouge Parish, whose address is 9138 Corlette Drive, Baton Rouge, Louisiana 70811.

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3.

Defendant is the owner and operator of *Paradise on Ice*, located at 7406 Plank Road, Baton Rouge, Louisiana 70811. Because it stores, prepares, and serves food for human consumption, *Paradise on Ice* is a "food establishment" as that term is defined in Public Health Sanitary Code Part XXIII, §101.

4.

Paradise on Ice is presently operating as a food establishment without the requisite *Permit to Operate* from DHH, in violation of the Public Health Sanitary Code Part XXIII, §501 and La. R.S. 40:31.37. *Paradise on Ice's* previous annual permit was revoked by Order of the State Health Officer, in concurrence with the Assistant Secretary of DHH. Despite having been served with said Order on June 25, 2014, Defendant has never submitted to DHH a written request to appeal the Order, which is therefore now final and executory.