

St. Tammany
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Suit 2026-16223 E
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22ND JUDICIAL DISTRICT COURT FOR THE PARISH OF ST. TAMMANY

STATE OF LOUISIANA

NO. _____

DIVISION “ _____ ”

DOMINICK J. LATINO, III

VERSUS

**THE SLIDELL POLICE DEPARTMENT AND
DANIEL SEUZENEAU, SERGEANT JAKE MORRIS, AND
LIEUTENANT CRAIG GARET “SHADOW” AUCOIN
In Their Collective Capacity as
CUSTODIAN OF PUBLIC RECORDS FOR THE
SLIDELL POLICE DEPARTMENT**

FILED: _____

DEPUTY CLERK

PETITION FOR WRIT OF MANDAMUS

1.

NOW INTO COURT comes Petitioner, Dominick Joseph Latino, III (hereinafter the “Petitioner”), requester of public records and a person of full age and majority domiciled in St. Tammany Parish, Louisiana, who respectfully represents as follows:

2.

Made Respondents herein are:

THE SLIDELL POLICE DEPARTMENT, DANIEL SEUZENEAU, SERGEANT JAKE MORRIS, AND LIEUTENANT CRAIG GARET “SHADOW” AUCOIN, in their collective capacity as CUSTODIAN OF RECORDS for the SLIDELL POLICE DEPARTMENT (hereinafter the “Department” or “Respondents”).

3.

The Slidell Police Department is a public body and department, or agency of the City of Slidell within the meaning of La. C.C.P. art. 3863 and La. R.S. 44:1, with its principal office located at 2112 Sargeant Alfred Drive, Slidell, LA 70458.

4.

Daniel Seuzeneau is the Chief Administrative Officer and Commander of the Slidell Police Department Division of Public Affairs / Public Information.

5.

Sargeant Jake Morris is the Public Information Officer for the Slidell Police Department Division of Public Affairs / Public Information.

6.

Lieutenant Craig Garet “Shadow” Aucoin is the Assistant Public Information Officer for the Slidell Police Department Division of Public Affairs / Public Information.

7.

The Slidell Police Department Division of Public Affairs / Public Information, and employees thereof who are named herein, is the Custodian of Public Records responsible for receiving and responding to public records requests directed to the Slidell Police Department.

NATURE OF THE ACTION, JURISDICTION, AND VENUE

8.

This action seeks to enforce the fundamental right of access to public records guaranteed by Article XII, Section 3 of the Louisiana Constitution and the Louisiana Public Records Law. La. R.S. §§ 44:1, *et seq* (hereinafter sometimes referred to as the “Law”). Petitioner seeks a writ of mandamus compelling the Department to perform its ministerial duties under the Law, together with attorney fees, costs of litigation, civil penalties, and any other relief authorized under the Law. *See* La. R.S. § 44:35.

9.

Petitioner requests expedited consideration of this Petition and an order requiring the Department to respond fully to Petitioner’s public records request pertaining primarily to Daniel Seuzeneau and his employment with the Slidell Police Department, as well as certain Slidell Police Department policies, organizational records, and transactions.

10.

Jurisdiction and venue are proper in this Court because the office of the custodian is located, and the action of the custodian is to be taken, in St. Tammany Parish. La. R.S. § 44:35(A); *Fortenberry v. Evans*, 55,660 (La. App. 2 Cir. 5/22/24), 387 So. 3d 921.

FACTUAL BACKGROUND AND APPLICABLE LAW

11.

On September 10, 2026, Petitioner submitted the subject Public Records Request (hereinafter the “Request”) online via the Slidell Police Department’s “Contact Us” page¹ which provides: “For Public Records Requests, some inquiries may be handled directly by our Public Affairs team. If your request requires a formal submission, you will be provided with a link to file an official public records request.”:

¹ <https://www.slidellpd.com/contactus>



Have a question or concern? Please feel free to contact us using the information below, and a member of our Public Affairs team will respond as soon as possible.

This contact form is NOT to be used to make a police report or to report an emergency.

If you need to speak with a police officer or require immediate assistance, please call:

- Emergency: 911
- Non-Emergency: 985-643-3131

For Public Records Requests, some inquiries may be handled directly by our Public Affairs team. If your request requires a formal submission, you will be provided with a link to file an official public records request.

First name

Last name

Email

Phone Number

How can we help you? *

☐ Yes, I would like a return response.

File upload (if applicable)

The Request is attached hereto as Exhibit “A.”

12.

The Request sought records relating primarily to Daniel Seuzeneau’s employment, activities, and communications as an employee of the City of Slidell and the Slidell Police Department, as well as certain Department policies and records. The categories requested included: personnel and employment records; outside-employment and ethics records; training, certification, complaint, and disciplinary records; arrest, dispatch, and use-of-force records; compensation,

benefits, reimbursements, expenses, and assigned-vehicle records; communications involving Matt Bowers, Matt Bowers Auto Group, and Southern Rogue Media; and Department organizational charts, policies, and vehicle-purchasing records.

13.

The Request also defined the scope of “communications” and “documents” sought.

14.

The Request expressly sought information concerning the availability and custody of responsive records, including: the legal basis for any determination that a requested record was not public pursuant to La. R.S. 44:32; the anticipated date and time for inspection or production of records not immediately available as mandated by La. R.S. 44:33; and for records not in the custodian’s possession or control, the reason for their absence, their location, the identity of the current custodian, and related information concerning their transfer and availability under La. R.S. 44:34.

15.

The Request also sought information concerning the volume of responsive records and available methods of inspection or production, expressed a preference for electronic production, and pre-approved fees of up to \$1,000, subject to advance notice if anticipated costs would exceed that amount.

16.

After having not received a response, Petitioner submitted, again via the “Contact Us” page, a follow up message stating: “I have not received a timely response to my FOIA request.” See Exhibit “B”.

17.

On September 18, 2026, Craig Garett “Shadow” Aucoin of the Slidell Police Department emailed Petitioner responding to his follow up message, asking that he “Please utilize the following link to submit your request.” See Exhibit “B”.

18.

On that same date, Petitioner resubmitted his Request via the link supplied by Mr. Aucoin. See Exhibit “C”. Petitioner also had delivered a physical copy of his request to the Slidell Police Department – Custodian of Records via FedEx overnight delivery on September 18, 2026. See Exhibit “D”.

19.

The Department replied on September 21, 2026, stating: “I just wanted to reach out to let you know that we have received the public records request that you submitted Friday afternoon. As the records that you requested are quite voluminous, we anticipate the request may take up to 14 business days to complete. Your request is being processed. Thank you.” See Exhibit “E”.

20.

Respondents did not invoke any specific exemption from disclosure, identify any basis for delaying production, or specify a date and time for production of records that had been located but were not immediately available. Nor did Respondents contend that the Request was overly broad, unduly burdensome, likely to interfere with the custodian’s duties, or otherwise likely to substantially disrupt governmental operations. Respondents likewise failed to represent that they would subsequently provide an explanation for any delay.

21.

Petitioner has not received any further communication from Respondents regarding the Request.

22.

During a debate between candidates for St. Tammany Parish sheriff held on September 15, 2026 at the Slidell Municipal Auditorium, Daniel Seuzaneau, Chief Administrator and Commander of the Slidell Police Department Division of Public Affairs / Public Information and respondents named herein, expressly stated that “. . . I’ve been that guy that’s been accessible. Nothing has changed. It will continue to be that way. *I’d never hide behind public records requests.* I’ve never shied away from the news media (inaudible). My cell phone number has been the same for the last 25+ years and it will remain the same and I will always be an accessible Sheriff.” See <https://app.box.com/s/efvj7ibctj9vigh3juxxpud0rfkqo542> and <https://www.facebook.com/ConcernedCitizensOfStTammany>.

23.

When a custodian of a public record asserts an individual's constitutional right to privacy as the basis of an exception, exemption, or limitation to the public's right to access public records, the custodian or the individual claiming the privacy right must prove that there is a reasonable expectation of privacy against disclosure of the information to a person entitled to access the public information. *Archote v. Tate*, 2023-0982 (La. App. 1 Cir. 6/3/24), 392 So. 3d 393.

24.

Mr. Seuzeneau's statements during the September 15, 2026 debate effectively constitute an affirmative waiver of any claims that records pertaining to himself, including those set forth in Petitioner's Request, are privileged or constitutionally protected, or otherwise exempted from disclosure.

25.

A custodian of public records cannot redirect a requestor to submit his public records request via a different method and then use such redirection to extend the statutory deadlines prescribed by La. R.S. 44:32(D), 44:33(B)(1), and 44:35(A). See *Zillow, Inc. v. Taylor*, 2021-739 (La. App. 3 Cir. 3/30/22), 350 So. 3d 550; *Stevens v. St. Tammany Par. Gov't*, 2017-0959 (La. App. 1 Cir. 7/18/18), 264 So. 3d 456.

26.

The Louisiana Attorney General has expressly recognized that, because Louisiana law does not require a public records request to be submitted in writing, a custodian may not condition access to public records upon a requester's completion of a form or registration requirement. La. Att'y Gen. Op. No. 17-0056 (Apr. 2, 2018). Rather, although a custodian may request that a requester complete such a form, the custodian may not require the requester to do so as a prerequisite to exercising the right of access. *Id.*

27.

Referring a requestor to submit a request in specific form violates the custodian's direct, non-delegable statutory duty to provide the records under the Law. Any restriction the custodian does attempt to impose is subject to de novo judicial review, with the burden resting squarely on the custodian to sustain the action. La. R.S. 44:32.

28.

La. R.S. 44:32(B) provides that "[i]f any record contains material which is not a public record, the custodian may separate the nonpublic record and make the public record available for examination."

29.

La. R.S. 44:32(D) provides that "[i]n any case in which a record is requested and a question is raised by the custodian of the record as to whether it is a public record, such custodian shall within five days, exclusive of Saturdays, Sundays, and legal public holidays, of the receipt of the

request, in writing for such record, notify in writing the person making such request of his determination and the reasons therefor. Such written notification shall contain a reference to the basis under law which the custodian has determined exempts a record, or any part thereof, from inspection, copying, or reproduction.”

30.

La. R.S. § 44:32(A) requires the custodian to present a public record to any person of the age of majority who requests it, and La. R.S. § 44:32(C) requires the custodian to provide copies to a person who requests them.

31.

Under La. R.S. 44:33(B), a record that is immediately available must be presented immediately. If a record is not immediately available, the custodian must promptly certify that fact in writing and, within three days exclusive of Saturdays, Sundays, and legal public holidays, fix a day and hour for inspection. *Id.*

32.

Respondents were first placed on notice of Petitioner’s public records request on September 10, 2026, when Petitioner submitted the Request through the Slidell Police Department’s “Contact Us” webpage. The Department expressly directed members of the public to that webpage for public records inquiries, advising that “[f]or Public Records Requests, some inquiries may be handled directly by our Public Affairs team” and that, “[i]f your request requires a formal submission, you will be provided with a link to file an official public records request.” Accordingly, Respondents had actual notice of Petitioner’s request as of September 10, 2026, regardless of whether the Department thereafter required Petitioner to complete an additional or more formal submission process.

33.

The time for the Custodian to respond to the Request under La. R.S. 44:32(D) and 44:33(B) began to run on September 10, 2026.

34.

To date, the Department has not produced any record, notified Petitioner that any record was available, stated the cost of reproduction, fixed a day and hour for production or inspection under La. R.S. 44:33(B)(1), identified any withheld record or claimed exemption under La. R.S. §

44:32(D), or certified that any requested record does not exist as required under La. R.S. 44:34. A delaying response of that kind, unaccompanied by production or notice of availability, does not comply with the law or defeat a requester's right to mandamus. *See, e.g., Fortenberry*, 55,660, pp. 20-23, 387 So. 3d at 934-35.

35.

Because more than five business days had elapsed between Petitioner's initial submission of the Request on September 10, 2026 and the Department's response received on September 21, 2026, the Department's response was not timely under La. R.S. 44:32(D) and 44:33(B).

36.

Even assuming the Department's response was timely, it was insufficient under the Louisiana Public Records Act.

37.

If a custodian reasonably determines that a public records request would substantially disrupt required government operations, the custodian may deny access only after reasonable attempts to narrow or specify the request with the requestor. La. R.S. § 44:32(A)(2). Here, the Department violated the Law by denying timely access to public records without first asking Petitioner to narrow or specify the Request.

38.

Louisiana public records law imposes a present and continuing duty to provide access to non-exempt records "promptly" and within a "reasonable" time, with written explanations for any delay or denial. *See* La. R.S. 44:33. Where records are readily identifiable and non-exempt, the custodian of public records must make them available without undue delay, and if review or redaction is necessary, they must proceed diligently, communicate specific reasons, and provide rolling production. *See Johnson v. Broussard*, 2012-1982 (La. App. 1 Cir. 6/7/13), 118 So. 3d 1249; *Stevens v. St. Tammany Par. Gov't*, 2017-0959 (La. App. 1 Cir. 7/18/18), 264 So. 3d 456.

39.

Most, if not all, of the records sought by Petitioner are readily identifiable and are ordinarily maintained in centralized repositories. The Request was sufficiently specific to permit prompt identification of responsive records: it identified communications involving specified individuals, delineated the domain to be searched, and supplied defined search terms and relevant timeframes.

The Department cannot justify its failure to produce any responsive records on the basis that the Request was “voluminous.”

40.

Even assuming that certain categories of records required additional search, review, or redaction, that circumstance did not relieve the Department of its obligation to promptly produce non-exempt records as they were identified or to segregate and disclose non-exempt portions of responsive records while any remaining review continued. See generally, *Roper v. City of Baton Rouge/Par. of E. Baton Rouge*, 2016-1025 (La. App. 1 Cir. 3/15/18), 244 So. 3d 450, 467. In any case, the custodian bears the burden of proving that all of the records requested were not readily accessible and capable of immediate production. La. R.S. 44:35(B); 44:31; 44:32.

41.

At a minimum, some responsive records were immediately available and should have been identified and produced, or otherwise specifically addressed, in the Department’s initial response to Petitioner. Instead, the Department failed to identify or produce a single responsive record and, without demonstrating that such a delay was necessary as to all categories of records sought, unilaterally extended the time for responding to fourteen days. The Department identified no page counts, file sizes, or number of potentially responsive records/accounts, and did not propose a phased timeline for readily accessible items like organizational charts, policies, and vendor payment records. See La. R.S. 44:35; e.g., *Johnson v. Broussard*, 2012-1982 (La. App. 1 Cir. 6/7/13), 118 So. 3d 1249 (finding that the custodian of public records had both the ability and capability to extract the requested information, that the trial court did not err in rejecting the custodian’s unreasonable estimate, and affirmed the mandamus and award of attorney fees); *Stevens v. St. Tammany Par. Gov’t*, 2017-0959 (La. App. 1 Cir. 7/18/18), 264 So. 3d 456.

42.

The Department’s blanket extension of fourteen days, instead of the prompt production of records that were immediately available while any additional review proceeded, was unreasonable and inconsistent with the prompt-access requirements of the Louisiana Public Records Law.

43.

Additionally, Respondents never informed Petitioner of what the costs of production were, despite Petitioner’s express pre-approval of fees of up to \$1,000.00 and request that Respondents

contact him should the fees exceed \$1,000.00. See *Fortenberry v. Evans*, 55,660 (La. App. 2 Cir. 5/22/24), 387 So. 3d 921, 935 (holding that custodian of public records was not justified in withholding production of documents requested where the requestor received no response to his express requests for information regarding the costs of production).

44.

“The Louisiana Constitution and this state's courts provide that the fundamental right of the public to inspect and reproduce public records should be interpreted in the most expansive and unrestricted way possible.” E.g., *Pesnell v. Williams*, 2024-328 (La. App. 3 Cir. 3/12/25) 409 So.3d 341; *Fortenberry*, 55,660 (La. App. 2 Cir. 5/22/24) 387 So.3d 921, 934.

45.

The right to access public records is a fundamental right guaranteed by Article XII, Section 3 of the Louisiana Constitution. The law places responsibility for providing access to public records on the custodian. La. R.S. § 44:31(A).

46.

The duty to respond to public-records requests in the manner and within the time prescribed by the law is a ministerial duty required by law. La. C.C.P. art. 3863 authorizes a writ of mandamus to compel a public officer to perform such a duty.

47.

Any person who has been denied access to public records “may institute proceedings for the issuance of a writ of mandamus, injunctive or declaratory relief, together with attorney fees, costs and damages” under La. R.S. § 44:35(A).

48.

Respondents neither timely nor sufficiently responded to Petitioner’s public records request under the Louisiana Public Records Act.

CIVIL PENALTIES

49.

Petitioners re-allege and incorporate each of the foregoing paragraphs.

50.

The intransigence of the Slidell Police Department establishes both of the prerequisites for that a claim for monetary relief: (1) an arbitrary or capricious withholding of the requested record,

and (2) a failure “to respond to the request as required by R.S. 44:32,” which courts have repeatedly interpreted to mean a failure to provide the exemption notice required by Subsection 44:32(D). *Roper v. City of Baton Rouge/Par. of E. Baton Rouge*, 2016-1025 (La. App. 1 Cir. 3/15/18), 244 So. 3d 450, 460, *writ denied*, 2018-0854 (La. 9/28/18), 252 So. 3d 926 (citations omitted).

51.

Where the court finds that the custodian unreasonably or arbitrarily failed to respond to a request as La. R.S. 44:32 requires, it may award the requester civil penalties not to exceed one hundred dollars per day, exclusive of Saturdays, Sundays, and legal public holidays, for each day of the failure to give notification. La. R.S. 44:35(E)(1).

52.

Petitioners respectfully urge this Court to find that the Department unreasonably and arbitrarily failed to comply with the Louisiana Public Records Law by failing to respond to Petitioner’s several public records requests and failing to provide a valid exemption notice required by Subsection 44:32(D).

ATTORNEY FEES AND COSTS

53.

Petitioners re-allege and incorporate each of the foregoing paragraphs in this section.

54.

A person who prevails in a suit to enforce the right to inspect, copy, or reproduce a public record shall be awarded reasonable attorney fees and other costs of litigation. A person who prevails in part may be awarded reasonable attorney fees, or an appropriate portion of them, in the court’s discretion. La. R.S. 44:35(D)(1).

55.

Production after suit is filed does not defeat Petitioners’ claims for civil penalties, attorney fees, and costs. *Aswell v. Div. of Admin.*, 196 So. 3d 90, 94 (La. 1 Cir. 6/3/16).

56.

The foregoing facts establish that Petitioner has a clear legal right to performance, that the Department has unreasonably and arbitrarily failed to perform its ministerial duties under La. R.S.

§ 44:32 and § 44:33, and that Petitioners continue to suffer injury through the denial of timely access to public records guaranteed by the Louisiana Constitution and the Law.

57.

The Slidell Police Department should not be permitted to continue to conceal the record of Daniel Seuzeneau.

WHEREFORE, Petitioner, Dominick J. Latino, III, respectfully pray that this Honorable Court:

- A. Issue a writ of mandamus pursuant to La. C.C.P. arts. 3862 and 3863, commanding Respondents to perform immediately their ministerial duties concerning Petitioner's public-records requests in accordance with La. R.S. § 44:32 and § 44:33;
- B. Order Respondents to produce records responsive to Petitioner's public records request, or, alternatively, to provide a detailed written log identifying each record withheld in whole or in part and citing the specific statutory exemption(s) supporting the withholding thereof; or to provide sworn certifications identifying any requested records that do not exist or are not within Respondents' custody or control;
- C. Award Petitioner reasonable attorney fees and all other costs of litigation under La. R.S. § 44:35(D);
- D. Award Petitioner civil penalties under La. R.S. § 44:35(E) for Respondents' unreasonable and arbitrary failure to respond as required by La. R.S. § 44:32;
- E. Award Petitioner any actual damages proven to have resulted from Respondents' actions under La. R.S. § 44:35(E); and
- F. Grant Petitioner all other just and equitable relief.

Filed September 29, 2026

Respectfully Submitted,



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