

Wooley v. N&W Marine Towing

Court: US Court of Appeals for the Fifth Circuit

Docket: 23-30112

Opinion Date: January 8, 2024

Areas of Law: Admiralty & Maritime Law, Civil Procedure

Source: Justicia Law

In this case, Trey Wooley filed a state court action against N&W Marine Towing (N&W) and others based on injuries he suffered while serving as a deckhand on the Mississippi River. The United States Court of Appeals for the Fifth Circuit held that Wooley had improperly joined N&W in the state court action in violation of a district court's stay order and the Limitation of Liability Act of 1851, which effectively ceased all claims and proceedings against N&W outside of a federal limitation action that N&W had previously filed. Therefore, N&W was dismissed as a defendant in the state court action. The court further held that, after dismissing N&W, there were no live claims remaining in the state court action because Wooley had previously settled his claims against the other defendants.

Consequently, the court severed Wooley's state court action from the limitation action and dismissed it without prejudice. The court retained jurisdiction over the limitation action but stayed it to allow Wooley to pursue any viable claims against N&W in state court. The court concluded that the district court properly denied Wooley's motion to remand, as it had diversity jurisdiction over the case once N&W was dismissed.