

NUMBER 04-854

COURT OF APPEAL, THIRD CIRCUIT

STATE OF LOUISIANA

DON R. YOUNG

VERSUS

GULF COAST CARPETS

AMY, J., concurring in part, dissenting in part.

I respectfully dissent from that portion of the majority opinion that recognizes the double inclusion of the compensation benefits premiums in the calculation of the claimant's wages. As the issue was not raised by the parties, it is, in my opinion, final and not before the court. In all other aspects of the opinion, I concur.