

STATE OF LOUISIANA IN THE INTEREST  
OF S. M. U. C., W. M. U. C., AND D. Y. U. C.

NO. 15-CA-645

FIFTH CIRCUIT

COURT OF APPEAL

STATE OF LOUISIANA


ON APPEAL FROM THE JEFFERSON PARISH JUVENILE COURT  
PARISH OF JEFFERSON, STATE OF LOUISIANA  
NO. 15-TP-8, DIVISION "A"  
HONORABLE NANCY AMATO KONRAD,  
JUDGE PRO TEMPORE

January 28, 2016

COURT OF APPEAL  
FIFTH CIRCUIT

FILED JAN 28 2016

**MARC E. JOHNSON**  
JUDGE

  
Cheryl Quirk, CLERK

Panel composed of Judges Susan M. Chehardy,  
Marc E. Johnson, and Hans J. Liljeberg

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**APPEAL DISMISSED**

2/29  
SME  
/L

Plaintiff/Appellant, the State of Louisiana, Department of Children & Family Services, Bureau of General Counsel (hereinafter referred to as “the Department”), purports to appeal the judgment terminating the parental rights of the parents of S.U.C., W.U.C. and D.U.C. from the Juvenile Court for Jefferson Parish, Section “A”.<sup>1</sup>

On March 5, 2015, the Department filed a Petition for Termination of Parental Rights of the mother, T.L.C., and the father, J.J.U. The juvenile court granted the petition on May 22, 2015. The record does not reflect that a motion for appeal of the judgment was filed by any of the parties involved.

La. C.C.P. art. 2121 provides, in pertinent part, “An appeal is taken by obtaining an order therefor, within the delay allowed, from the court which rendered the judgment.” The jurisdiction of appellate court attaches upon the granting of the order of appeal. La. C.C.P. art. 2088.

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<sup>1</sup>In accordance with Uniform Rules—Courts of Appeal, Rules 5-1 and 5-2, we will use initials throughout the opinion to identify the parties to ensure the privacy of the minor children in this case.

Because there is no evidence in the record of a motion for appeal or an order granting an appeal, the judgment terminating the parental rights of T.L.C. and J.J.U. is not properly before us for review on appeal. *See, Hacienda Constr., Inc. v. Newman*, 09-506 (La. App. 5 Cir. 11/24/09); 28 So.3d 490, 492. Accordingly, this appeal is dismissed in accordance with Uniform Court of Appeal, Rule 2-16(A)(1).

**APPEAL DISMISSED**

SUSAN M. CHEARDY  
CHIEF JUDGE

FREDERICKA H. WICKER  
JUDE G. GRAVOIS  
MARC E. JOHNSON  
ROBERT A. CHAISSON  
ROBERT M. MURPHY  
STEPHEN J. WINDHORST  
HANS J. LILJEBERG

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CHERYL Q. LANDRIEU  
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**NOTICE OF JUDGMENT AND CERTIFICATE OF DELIVERY**

I CERTIFY THAT A COPY OF THE OPINION IN THE BELOW-NUMBERED MATTER HAS BEEN DELIVERED IN ACCORDANCE WITH **Uniform Rules - Court of Appeal, Rule 2-20** THIS DAY **JANUARY 28, 2016** TO THE TRIAL JUDGE, COUNSEL OF RECORD AND ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CHERYL Q. LANDRIEU  
CLERK OF COURT

**15-CA-645**

**E-NOTIFIED**

MARY R. MUSTALLER MCMILLAN

JESSICA COALTER

**MAILED**

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