

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA IN THE
INTEREST OF C.M.

NO. 2013 CW 2046

NOVEMBER 26, 2013

In Re: State of Louisiana, applying for supervisory writs,
Juvenile Court, Parish of East Baton Rouge, No.
105,336.

BEFORE: WHIPPLE, C.J., WELCH AND CRAIN, JJ.

WRIT GRANTED WITH ORDER. The trial court erred in failing to find from the evidence that there are reasonable grounds to believe the child is in need of care and that continued custody is necessary for C.M.'s safety and protection. La. Ch.C. art. 626A. Because the first contact with the Louisiana Department of Children and Family Services (Department) occurred during an emergency, where the hospital was holding the child so as not to return him to the unsafe home, the Department is deemed to have made reasonable efforts to prevent or eliminate the need for removal. La. Ch.C. art. 626C.

We reverse and vacate the trial court's order of November 20, 2013. **We order** that the custody of the child, C.M., be continued with the Department pending an adjudication hearing. This matter is remanded for further proceedings in accordance with this order and with law.

JEW
WJC
VGW

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DEPUTY CLERK OF COURT
FOR THE COURT