

CHRIS GRAVER AND ELIZABETH GRAVER

NO. 18-C-557

VERSUS

FIFTH CIRCUIT

THE MINOR CHILD, L.G.
OLIVIA G. LEACH

COURT OF APPEAL

STATE OF LOUISIANA

October 03, 2018

Mary E. Legnon
Chief Deputy Clerk

IN RE OLIVIA G. LEACH

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE JUNE B. DARENSBURG, DIVISION "C", NUMBER 773-311

Panel composed of Judges Fredericka Homberg Wicker,
Stephen J. Windhorst, and John J. Molaison, Jr.

WRIT GRANTED FOR LIMITED PURPOSE

In this writ application, Relator seeks review of the trial court's denial of a motion to stay execution of the May 11, 2018 judgment awarding visitation of the minor child, L.G., to plaintiffs, the child's paternal grandparents, pending resolution of Relator's appeal of that judgment. Alternatively, relator moves this Court to issue a stay of the execution of the visitation judgment pending this Court's resolution of the merits of her appeal.

In consideration of Relator's writ application, and further finding that a notice of appeal has been provided to this Court indicating a pending appeal from the May 11, 2018 judgment in this case with a current return date of October 13, 2018, we find that Relator is entitled to expeditious consideration of her appeal pursuant to Uniform Rules—Courts of Appeal, Rule 5-1.¹ We therefore grant relator's writ, in part, for the limited purpose to order the following:

1. The Clerk of Court for the 24th Judicial District Court is hereby ordered to lodge the appellate record on October 13, 2018, the current return date; no further extensions for submission of transcripts shall be granted to the Court reporter charged with transcribing the lower court proceedings.
2. Once the record is lodged, the Clerk of this Court is hereby ordered to expedite the appeal of this matter by setting a briefing schedule and hearing date in accordance with Uniform Rules—Courts of Appeal, Rule 5-3. The appellant's brief shall be due fifteen (15) days from the date the

¹ Although the May 11, 2018 judgment does not specifically involve a change of custody of the minor child, it allows grandparent visitation with the minor child.

record is lodged; the appellees' brief shall be due thirty (30) days from the date the record is lodged. No extensions of these deadlines will be considered.

3. Once the record is lodged, the Clerk of this Court is further hereby ordered to set the matter to a randomly allotted panel on the special settings docket on November 28, 2018.

In all other respects, the relator's writ application is denied.

Gretna, Louisiana, this 3rd day of October, 2018.

JJM
FHW
SJW

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
ROBERT A. CHAISSON
STEPHEN J. WINDHORST
HANS J. LILJEBERG
JOHN J. MOLAISSON, JR.

JUDGES



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CHERYL Q. LANDRIEU
CLERK OF COURT

MARY E. LEGNON
CHIEF DEPUTY CLERK

SUSAN BUCHHOLZ
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

(504) 376-1400
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NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH UNIFORM RULES - COURT OF APPEAL, RULE 4-6 THIS DAY **10/03/2018** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY

CHERYL Q. LANDRIEU
CLERK OF COURT

18-C-557

E-NOTIFIED

Pat M. Franz (Relator)

Cheryl P. Buchert (Respondent)
Michael Baham (Relator)

MAILED

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