

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA IN THE
INTEREST OF T.W.

NO. 2016 CW 1406

OCTOBER 25, 2016

In Re: The Louisiana Department of Children and Family Services, applying for supervisory writs, Juvenile Court, Parish of East Baton Rouge, No. 107560.

BEFORE: PETTIGREW, McDONALD AND DRAKE, JJ.

WRIT NOT CONSIDERED. The writ application fails to provide proof that the Writ Application filed on October 24, 2016, was timely filed under Rules 4-2 and 4-3, Uniform Rules of Louisiana Courts of Appeal. An interlocutory ruling is not required to be reduced to writing, except as provided in La. Code Civ. P. art. 1914(B) and (C). La. Code Civ. P. art. 1914(B) provides that an interlocutory judgment is to be reduced to writing if a party requests that the ruling be reduced to writing within ten days of the notice in open court, the court so orders, or if the matter was taken under advisement. The ruling at issue in this matter was issued in open court on June 2, 2016, and Applicants requested that the ruling be reduced to writing on or about September 26, 2016, which falls outside the ten-day period provided for in La. Code Civ. P. art. 1914(B). Without evidence of whether the trial court ordered that that ruling be reduced to writing or evidence that a party timely requested that the ruling be reduced to writing, the writ application cannot be considered timely.

Applicant also did not include a copy of the petition in violation of Uniform Rules of Louisiana Courts of Appeal, Rule 4-5 (C)(8). In order for this Court to examine the trial court's ruling, it must be presented with the pleadings reviewed by the trial court.

Supplementation of this writ application and/or an application for rehearing will not be considered. Uniform Rules of Louisiana Courts of Appeal, Rules 4-9 and 2-18.7.

In the event Applicant seeks to file a new application with this Court, it must contain all pertinent documentation, including documentation to show that the original writ application was timely and the missing items noted above, and

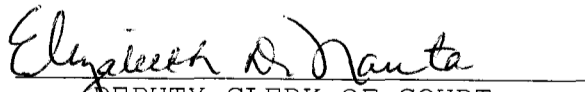
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must comply with Rules 2-12.2 of the Uniform Rules of Louisiana Courts of Appeal. Any new application must be filed on or before November 9, 2016 and must contain a copy of this ruling.

EGD
JTP
JMM

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DEPUTY CLERK OF COURT
FOR THE COURT