

**STATE OF LOUISIANA IN**

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**NO. 2000-CA-1857**

**THE INTEREST OF A.S.**

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**COURT OF APPEAL**

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**FOURTH CIRCUIT**

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**STATE OF LOUISIANA**

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APPEAL FROM  
JUVENILE COURT ORLEANS PARISH  
NO. 00-136-14-QF, SECTION "F"  
Honorable Mark Doherty, Judge

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**JUDGE STEVEN R. PLOTKIN**

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(Court composed of Chief Judge William H. Byrnes III, Judge Steven R. Plotkin, and Judge Max N. Tobias, Jr.)

**MARTHA S. MORGAN**  
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**COUNSEL FOR APPELLANT**

**DISMISSED**

A.S., a juvenile, pled guilty to charges of Unauthorized Use of a Motor Vehicle and Possession of Marijuana. On appeal, appellant contends that the trial court erred in ordering a psychological and psychiatric examination of appellant, prior to his adjudication. We dismiss the appeal, for the reasons that follow.

**STATEMENT OF THE CASE:**

A.S. and a co-defendant were charged by petition filed on May 15, 2000, with Unauthorized Use of a Motor Vehicle, a violation of La. R.S. 14:68.4, and Possession of Marijuana, a violation of La. R.S. 40:966(D)(1). On May 15, 2000, A.S. appeared before the juvenile court for consideration of possible detention or release. A.S. denied the charges. The juvenile court set a pretrial hearing for May 22, 2000 and appointed the Orleans Indigent Defender Program to represent A.S.

The pretrial hearing was conducted on May 23, 2000, wherein trial was set for June 29, 2000. In its judgment, signed May 24, 2000, the juvenile court ordered a psychological and psychiatric evaluation of A.S.

pending the trial of this matter. On June 8, 2000, A.S. filed a Motion for Appeal and Request for Stay, pertaining to the juvenile court's judgment.

On June 29, 2000, the date of trial, A.S. withdrew his former plea of not guilty, and entered a plea of guilty to the charges.

**DISCUSSION:**

In a single assignment of error, appellant claims that the judgment rendered by the juvenile court is contrary to Louisiana law. Specifically, appellant argues that the juvenile court erred by ordering the psychological and psychiatric testing of A.S., prior to his adjudication.

In its May 24, 2000 judgment, the juvenile court stated, in pertinent part: "Pending the trial of this matter, under Article 867 of the Children's Code, this Court ordered the Office of Youth Development to conduct psychological and psychiatric examinations of the juvenile and provide the proper treatment stemming from said examinations."

We do not reach the merits of appellant's claim. Rule 1-3 of the Louisiana Uniform Rules of Courts of Appeal provides that "[t]he Courts of Appeal will review only issues which were submitted to the trial court and which are contained in specifications or assignments of error, unless the interest of justice clearly requires otherwise." At the May 23, 2000 pretrial hearing, appellant did not object to the juvenile court's order of

psychological and psychiatric evaluations; and thus did not preserve the issue for appeal. Additionally, appellant pled guilty to the charges on June 29, 2000. Accordingly, appellant's claim is dismissed as moot.

**CONCLUSION:**

For the foregoing reasons, appellant's appeal is dismissed as moot.

**DISMISSED**