

**STATE OF LOUISIANA IN  
THE INTEREST OF C.M.**

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**NO. 2005-CA-0435**

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**COURT OF APPEAL**

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**FOURTH CIRCUIT**

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**STATE OF LOUISIANA**

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**BELSOME, J., CONCURS WITH REASONS**

Given the exclusion in the Children's Code regarding a time limitation for the filing of a delinquency petition when a child is not continued in custody, I concur with the majority. However, permitting such a delay in cases where a child is not continued in custody could on occasion subject a juvenile offender to be tried at the age of majority creating an inequality of the timeliness of prosecutions between a child not continued in custody and a child continued in custody. That circumstance has not arisen in this instant case; therefore, I concur.