

**STATE OF LOUISIANA IN
THE INTEREST Z.D.**

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NO. 2017-CA-0616

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COURT OF APPEAL

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FOURTH CIRCUIT

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STATE OF LOUISIANA

APPEAL FROM
JUVENILE COURT ORLEANS PARISH
NO. 2017-00095-01-NA-A, SECTION "A"
Honorable Ernestine S. Gray, Judge

Judge Rosemary Ledet

(Court composed of Judge Terri F. Love, Judge Roland L. Belsome, Judge Daniel L. Dysart, Judge Rosemary Ledet, Judge Regina Bartholomew Woods)

LOVE, J., CONCURS IN THE RESULT WITH REASONS
DYSART, J., DISSENTS, WITH REASONS
BARTHOLOMEW-WOODS, J., DISSENTS WITH REASONS

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APPEAL DISMISSED

DECEMBER 6, 2017

In this appeal, the State seeks review of the juvenile court’s finding that Z.D. is not a child in need of care as to his father. For the reasons that follow, we find that we lack appellate jurisdiction and therefore dismiss the State’s appeal.

STATEMENT OF THE CASE

On May 2, 2017, the State filed a petition, alleging, *inter alia*, that Z.D.’s father is incarcerated in Texas and requesting that Z.D. be adjudicated a child in need of care as to his father.¹ The matter was then set for adjudication. At the adjudication hearing, the juvenile court found that Z.D. was not a child in need of care as to his father. The juvenile court then set the matter for “case review” on July 20, 2017. This appeal followed.

DISCUSSION

Article 330(B) of the Louisiana Code of Criminal Procedure provides that, “[i]n . . . child in need of care proceedings pursuant to Title VI . . . an appeal may be taken only after a judgment of disposition . . . [and] shall include all errors

¹ The petition also alleged a pattern of abuse and neglect by Z.D.’s mother and requested that Z.D. also be adjudicated a child in need of care as to his mother. Z.D.’s status as a child in need of care as to his mother is not an issue before the court in this appeal.

assigned concerning the adjudication and disposition.” The record in this case does not contain a judgment of disposition as to Z.D.’s father. Accordingly, we find that we lack appellate jurisdiction over this case.

DECREE

For the foregoing reasons, we dismiss the State’s appeal.

APPEAL DISMISSED