

NOT DESIGNATED FOR PUBLICATION

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

22-394

STATE OF LOUISIANA

IN THE INTEREST OF D.C.

**APPEAL FROM THE
CITY COURT OF NEW IBERIA
PARISH OF IBERIA, NO. 2022-0029
HONORABLE THEODORE M. HAIK, III, JUDGE**

**CANDYCE G. PERRET
JUDGE**

Court composed of Shannon J. Gremillion, Candyce G. Perret, and Charles G. Fitzgerald, Judges.

APPEAL DISMISSED.

**Nicole Burke
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State of Louisiana**

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D.C.**

Perret, Judge

On January 20, 2022, the Juvenile-Appellant, D.C., was charged by petition with one count of possession with intent to distribute marijuana, a violation of La.R.S. 40:966; one count of transactions involving proceeds from drug offenses, a violation of La.R.S. 40:1041; one count of possession of a firearm in the presence of a controlled dangerous substance, a violation of La.R.S. 14:95(E); and one count of possession of a handgun by a juvenile, a violation of La.R.S. 14:95.8. All charges were brought as a result of an October 31, 2021 traffic stop in the City of New Iberia, wherein the investigating officer searched the vehicle occupied by the Juvenile-Appellant and four others and found marijuana, a handgun, and \$1,331.00 in cash.

On May 10, 2022, the trial court found the State carried its burden of proof and adjudicated the Juvenile-Appellant delinquent on all charges. A disposition hearing is set for August 16, 2022.

On May 26, 2022, the Juvenile-Appellant filed a “Motion for Appeal and Designation of the Record,” which was granted by the trial court that same day.

On June 21, 2022, this court lodged the appeal record. On June 22, 2022, this court issued a rule to show cause why the appeal should not be dismissed as premature. *See* La.Ch.Code art. 330(B). Counsel for the Juvenile-Appellant did not receive the rule, and on July 12, 2022, this court issued a new rule setting a response date of July 27, 2022.

On July 14, 2022, the Juvenile-Appellant filed his response to the rule to show cause, conceding that the appeal is premature as “an appeal cannot be taken in a juvenile delinquency case until disposition has been entered.” Therefore, the appeal is dismissed.

APPEAL DISMISSED.