

Fifth Circuit Court of Appeal
State of Louisiana

No. 25-CA-423

STATE OF LOUISIANA, DEPARTMENT OF CHILDREN AND FAMILY SERVICES IN THE
INTEREST OF A.Z.L. AND L.M.L.

VERSUS

LARON SHAWN LOUIS, SR.

ON APPEAL FROM THE JEFFERSON PARISH JUVENILE COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 23-NS-713, DIVISION "B"
HONORABLE AMANDA L. CALOGERO, JUDGE PRESIDING

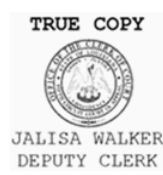
January 16, 2026

STEPHEN J. WINDHORST
JUDGE

Panel composed of Judges Susan M. Chehardy,
Stephen J. Windhorst, and Scott U. Schlegel

APPEAL DISMISSED

SJW
SMC
SUS



COUNSEL FOR DEFENDANT/APPELLANT,
LARON LOUIS

Michael J. Hall

COUNSEL FOR PLAINTIFF/APPELLEE,
STATE OF LOUISIANA, DEPARTMENT OF CHILDREN AND
FAMILY SERVICES

Honorable Paul D. Connick, Jr.

Thomas J. Butler

Lekita G. Robertson

Dominique N. Geraci

WINDHORST, J.

Appellant/defendant, Laron Shawn Louis, Sr. appeals the juvenile court's June 30, 2025 judgment denying his two rules for modification of child support. For the reasons stated herein this appeal is dismissed as untimely.

PROCEDURAL HISTORY

On October 13, 2023, the State of Louisiana, Department of Children and Family Services ("DCFS") filed a Rule for Child Support against defendant pursuant to La. R.S. 46:236.1.1 *et seq.*, in the Jefferson Parish Juvenile Court. The State requested child and medical support from Mr. Louis for his two minor children, A.Z.L. and L.M.L., whose mother, Ariel Kionna LaCarbiere, receives services from DCFS.

On March 22, 2024, the hearing officer recommended that defendant pay child support in the amount of \$1,593.26 per month plus 5% court costs, totaling \$1,672.94 per month. The Juvenile Court judge signed the interim order on April 2, 2024. On May 10, 2024, the hearing officer recommended that the interim order be made a permanent order of the court. The DCFS objected to the recommendation and requested a disagreement hearing, stating that the parties were "trying to reach an agreement via consent judgment."¹

On May 13, 2024, the parties entered into a consent judgment whereby the parties agreed that the child support award "shall be reduced to \$800.00 per month, beginning May 8, 2024," pursuant to Worksheet A attached to the judgment. The parties acknowledged in the consent that this was a deviation from the Louisiana Child Support Guidelines, that the child support would continue to be paid by income assignment order, and that the "arrearage as of May 8, 2024 shall be set at \$0."

On April 30, 2025, defendant filed a rule to modify child support stating that his oldest child was graduating high school on May 15, 2025. The hearing was set

¹ The disagreement hearing was rendered moot because of the parties' consent judgment signed on May 13, 2024.

on May 30, 2025. On May 13, 2025, defendant filed another rule to modify child support requesting credit for “the over payment,” to be “released from income withholding,” and removal of “court cost.” The rule was also set for May 30, 2025.

On May 30, 2025, the parties appeared before the hearing officer. The hearing officer recommended denying defendant’s rules to modify child support and his request to remove court costs. Defendant disagreed and a disagreement hearing was set for June 30, 2025 before the juvenile court judge. At the conclusion of the disagreement hearing, the juvenile court judge denied defendant’s rules to modify child support. Notice of mailing of the judgment was sent to the parties on July 1, 2025. Defendant filed a motion for devolutive appeal on July 30, 2025.

Jurisdiction Issue

On appeal, defendant is seeking review of the juvenile court’s June 30, 2025 judgment denying his motions for modification of child support. Defendant contends the trial court erred (1) in not finding that he has shared custody of his minor child pursuant to La. R.S. 9:315.9; and (2) in not setting his child support obligation at \$537.63 in accordance with the Louisiana Child Support Obligation Worksheet B.

Appellate courts have a duty to examine subject matter jurisdiction *sua sponte*, even when the parties do not raise the issue. Dept. of Children & Family Services v. Ridley, 23-565 (La. App. 5 Cir. 12/4/24), 409 So.3d 823, 826.

The judgment on appeal is from the Jefferson Parish Juvenile Court. Article 103 of the Louisiana Children’s Code provides that “[e]xcept as otherwise specified in any Title of this Code, the provisions of the Children's Code shall be applicable in all juvenile court proceedings, and only to such proceedings.” La. Ch.C. art. 104 states, in pertinent part, that [w]here procedures are not provided in this Code, or otherwise by law, the court shall proceed in accordance with . . . (2) The Code of Civil Procedure in all other matters.”

La. Ch.C. art. 332 further provides, in pertinent part:

A. Except as otherwise provided within a particular Title of this Code, appeals shall be taken within fifteen days from the mailing of notice of the judgment. However, if a timely application for a new trial is made pursuant to Paragraph C, the delay for appeal commences to run from the date of the mailing of notice of denial of the new trial motion.

B. Notice of judgment, including notice of orders or judgments taken under advisement, shall be as provided in Code of Civil Procedure Article 1913.

Therefore, La. Ch.C. arts 103 and 104 clearly provide that the provisions of the Children's Code apply to all juvenile court proceedings and the Code of Civil Procedure only applies where procedures are not provided in the Children's Code.

La. Ch.C. art. 332 sets the appeal delay as 15 days from the date of the mailing of notice of judgment.

In State, Dept. of Children and Family Services in Interest of C.I.B. v. Bye, 16-102 (La. App. 5 Cir. 5/12/16), 191 So.3d 1207, 1209, this court analyzed whether the appeal delays in the Children's Code (La. Ch.C. art. 332) or the Code of Civil Procedure (La. C.C.P. arts. 3942 and 3943) applied to a judgment rendered in juvenile court regarding child support filed by the DCFS pursuant to La. R.S. 46:236.1.1, *et seq.* The court held that the 15-day time delay for filing an appeal provided in La. Ch.C. art. 332, not the 30-day time delay in La. C.C.P. art. 3942, applied to cases originating from the juvenile court. *Id.* at 1210.

In this case, the juvenile court judge rendered judgment on June 30, 2025, denying defendant's rules to modify child support. The judgment was mailed to the parties on July 1, 2025 and defendant filed his motion for devolutive appeal on July 30, 2025. Consequently, defendant's appeal is untimely under La. Ch.C. art. 332 because it was filed more than 15 days from the mailing of the notice of judgment.

DECREE

For the foregoing reasons, defendant's appeal is dismissed.

APPEAL DISMISSED

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISSON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETN, LOUISIANA 70054
www.fifthcircuit.org

CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. TRAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

(504) 376-1400
(504) 376-1498 FAX

NOTICE OF JUDGMENT AND CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE OPINION IN THE BELOW-NUMBERED MATTER HAS BEEN DELIVERED
IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 2-16.4 AND 2-16.5** THIS DAY
JANUARY 16, 2026 TO THE TRIAL JUDGE, CLERK OF COURT, COUNSEL OF RECORD AND ALL PARTIES
NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

25-CA-423

E-NOTIFIED

| | | |
|---|--------------------------------|--------------------------------|
| JUVENILE COURT (CLERK) | | |
| HONORABLE AMANDA L. CALOGERO (DISTRICT JUDGE) | | |
| AMANDA L. CALOGERO (APPELLANT) | DOMINIQUE N. GERACI (APPELLEE) | HONORABLE PAUL D. CONNICK, JR. |
| LEKITA G. ROBERTSON (APPELLEE) | THOMAS J. BUTLER (APPELLEE) | (APPELLEE) |

MAILED

| | |
|-------------------------------|-----------------------------|
| ARIELLE LACARBIERE (APPELLEE) | MICHAEL J. HALL (APPELLANT) |
| 1220 BURGESS DRIVE | ATTORNEY AT LAW |
| MARRERO, LA 70072 | 2401 WESTBEND PARKWAY |
| | SUITE 2102 |
| | NEW ORLEANS, LA 70114 |