

Fifth Circuit Court of Appeal State of Louisiana

No. 25-C-598

TIMOTHY K. RIHNER
VERSUS
LAUREN SCHELLHAAS RIHNER

IN RE TIMOTHY K. RIHNER
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
STEPHEN D. ENRIGHT, JR., DIVISION "N", NUMBER 854-723

TRUE COPY

December 23, 2025



SUSAN BUCHHOLZ
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Scott U. Schlegel

WRIT DENIED

Relator, Timothy Rihner, seeks supervisory review of the trial court's November 14, 2025 judgment, which the court issued after taking the matter under advisement at an October 15, 2025 contempt hearing. The November 14 judgment affirmed the hearing officer's August 22, 2025 interim judgment finding Mr. Rihner in contempt for his "willful failure" to pay past-due child support and tuition.¹ The trial court's judgment sentenced Mr. Rihner to 30 days imprisonment, with the sentence suspended until December 15, 2025; relator could purge himself of the contempt ruling by making a \$10,000 payment before December 15, 2025.²

Mr. Rihner did not make the appropriate payment and was incarcerated on December 15. Mr. Rihner now seeks review of the November 14 judgment,

¹ This is the third Rule for Contempt filed against relator.

² Relator allegedly owes more than \$24,000 in child support and tuition payments, having made no child support payments since May 30, 2024.

arguing that the contempt ruling and order for his incarceration should be vacated because (i) the judgment was entered without the trial court making a finding that he is financially capable of making payments; (ii) he never had “clear notice” that his ability to pay would be at issue in the contempt proceedings; and (iii) the judgment was entered without adding the Louisiana Department of Children and Family Services (“DCFS”) as a party pursuant to La. R.S. 46:236.1.9, which renders the judgment of contempt an absolute nullity. On the other hand, Mrs. Rihner argues that Mr. Rihner’s ability to pay was made evident to the hearing officer and the trial court. Mrs. Rihner further argues that La. R.S. 46:236.1.9 does not indicate that the judgment itself is a nullity if DCFS is not made a party; DCFS simply is not bound by any judgment rendered.

First, Mr. Rihner did not include a copy of the transcript from the October 15 hearing with his writ application, nor did he include copies of the relevant opposition(s) filed by Ms. Rihner, in violation of Uniform Rules – Courts of Appeal, Rule 4-5, making it difficult to determine the extent to which the trial court considered his ability to pay. In her opposition, however, Mrs. Rihner indicates that certain bank statements were offered at the interim hearing for hearing officer’s consideration, as well as at the contempt hearing before the trial judge. Second, we disagree with relator’s contention that DCFS was an indispensable party to the rule for contempt. The contempt hearing was held because Mr. Rihner failed to follow previous orders of the hearing officer and the trial court. Accordingly, on the showing made, we see no reason to disturb the trial court’s judgment. The writ is denied.

Gretna, Louisiana, this 23rd day of December, 2025.

SMC
JGG
SUS

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



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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

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NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **12/23/2025** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

25-C-598

E-NOTIFIED

24th Judicial District Court (Clerk)	
Honorable Stephen D. Enright, Jr. (DISTRICT JUDGE)	
Christy M. Howley (Respondent)	Michael J. Billiot (Relator)
	Jordan T. Giles (Respondent)
	M. Elizabeth Bowman (Respondent)

MAILED