

Fifth Circuit Court of Appeal State of Louisiana

No. 26-C-273

MICHELLE TIMBERLAKE
VERSUS
COURTNEY JACOBS

IN RE MICHELLE TIMBERLAKE
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
LEE V. FAULKNER, JR., DIVISION "P", NUMBER 736-712

TRUE COPY

July 10, 2026



SUSAN BUCHHOLZ
DEPUTY CLERK

Panel composed of Judges Stephen J. Windhorst,
Michael P. Mentz, Pro Tempore, and Timothy S. Marcel

WRIT DENIED

In this interstate custody dispute, relator Michelle Timberlake seeks supervisory review of May 13, 2026, judgments of the trial court denying her objections to orders of the domestic commissioner that denied her motion to confirm continuing exclusive jurisdiction pursuant to La. R.S. 13:1814 and granting an application filed by Ms. Courtney Jacob's for a civil warrant ordering the return of the minor child pursuant to a Virginia court order. On the showing made¹, we find no error in the trial court's judgments.

We observe that, while Ms. Timberlake argues that the commissioner and the trial court erroneously relied on an absolutely null October 2022 judgment of the Orleans Parish Juvenile Court, this argument fails to acknowledge the evidence presented to the Domestic Commissioner, which included affidavits attesting to the minor child's residency for the last five years, and also Ms. Timberlake's statements made to Orleans Parish courts in February of 2025 that she and the minor child had been domiciled in Virginia since 2022. *See State in Interest of B.J.*, 2025-0223, p. 3 (La. App. 4 Cir. 4/28/25) ("...Ms.

¹ We note that Ms. Timberlake's writ application fails to include all of the documents required for writ applications specified in Uniform Rules-Courts of Appeal Rule 4-5 such as a copy of her Motion for Confirmation of Continuing Exclusive Jurisdiction or a copy of the pertinent court minutes.

Timberlake asserts that Orleans Parish is an inconvenient forum because none of the interested parties reside in Louisiana-Ms. Timberlake and B.J. have been domiciled in Virginia since 2022, and Mr. Jacob's [the child's father] has been a resident of Nebraska throughout the proceedings. She points out that all current school records, medical records and most of the witnesses with knowledge of the child are in Virginia.")

The decisions of the trial court are supported by the evidence and by Ms. Timberlake's own representations to Louisiana courts. Accordingly, on the showing made, this writ is denied.

Gretna, Louisiana, this 10th day of July, 2026.

TSM
SJW
MPM

SUSAN M. CHEHARDY
CHIEF JUDGE

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

JUDGES



FIFTH CIRCUIT

101 DERBIGNY STREET (70053)

POST OFFICE BOX 489

GRETNA, 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 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 **07/10/2026** 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

26-C-273

E-NOTIFIED

24th Judicial District Court (Clerk)
Hon. Lee V. Faulkner, Jr. (DISTRICT JUDGE)
David A. Capasso (Relator)
A. Camille Patti (Respondent)
Olivia Marks (Respondent)
Stephen C. D'Antoni (Respondent)