STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA NO. 2026 KW 1399

IN THE INTEREST OF E.K. **NOVEMBER 6, 2026**

In Re: E.K., applying for supervisory writs, 21st Judicial District Court, Parish of Livingston, No. J-16967.

BEFORE: THERIOT, GREENE, AND EDWARDS, JJ.

WRIT GRANTED. "A motion filed to revoke a child's probation shall be accompanied by a supporting affidavit specifying the claimed violations which form the basis of the revocation. The child shall be entitled to a copy of the motion and supporting affidavit." La. Ch. Code art. 913(A). The record reflects and the State concedes that the notice requirement of Article 913 was not met prior to the revocation of the child's probation. Furthermore, this matter arose out of the delinquency proceeding and the child received notice of a rule to show cause for contempt. Therefore, this matter is governed by the provisions of La. Ch. Code art. 1509.1(A)(2). Moreover, for families in need of services proceedings, when the child is adjudged guilty of direct or constructive contempt of court for repeated disobedience of the court's judgment of disposition, "the court may commit the child to a secure detention facility for not more than seven days." See La. Ch. Code art. 1509.1(C)(2). Accordingly, we find merit in the child's claim that the juvenile court erred by revoking his probation and making the original six-month sentence executory. See **State ex rel. T.H.**, 2010-2215 (La. 10/6/10), 45 So.3d 611 (per curiam). Accordingly, the probation revocation is reversed, the sentence is vacated, and the juvenile court is ordered to immediately release the child from the custody of the Office of Juvenile Justice, provided he is not being held on any unrelated charges. The juvenile court is ordered to provide this court with a copy of the Order for Release by or before November 12, 2026.

MRT
HG
BDE

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DEPUTY CLERK OF COURT
FOR THE COURT