

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2009 CU 1243

MARY AMANDA STEPHENS

VERSUS

RICKY BALLARD

Judgment Rendered: **MAR - 1 2010**

**Appealed from the
21st Judicial District Court
In and for the Parish of Livingston
State of Louisiana
Case No. 95176**

The Honorable Elizabeth P. Wolfe, Judge Presiding

**Sherman Q. Mack
Albany, Louisiana**

**Counsel for Plaintiff/Appellee
Mary Amanda Stephens**

**Erik L. Burns
Denham Springs, Louisiana**

**Counsel for Defendant/Appellant
Ricky Ballard**

BEFORE: DOWNING, GAIDRY, AND McCLENDON, JJ.

Handwritten signature and initials in black ink, appearing to be 'ME' and 'RAB'.

PER CURIAM.

Considering the judgment of the trial court signed on November 24, 2009, following the remand of this matter for the purpose of clarifying the issue of the trial court's jurisdiction and the related issue of Ms. Stephens's cause or right of action to seek modification of custody, the trial court expressly determining that it lacked subject matter jurisdiction over the issue of custody,

IT IS ORDERED BY THE COURT that the judgment of the trial court of February 25, 2009, and any prior consent judgments of the trial court subsequent to the juvenile court's July 25, 2006 review hearing be and are hereby reversed for lack of the trial court's subject matter jurisdiction, and that this appeal is likewise dismissed for lack of jurisdiction.

REVERSED; APPEAL DISMISSED.