

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA IN THE INTEREST
OF C.R.

No. 2021-CK-01152

IN RE: C. R. - Applicant Other; Applying For Writ Of Certiorari, Parish of Orleans
Criminal, Orleans Juvenile Court Number(s) 2019-073-09-DQC, Court of Appeal,
Fourth Circuit, Number(s) 2021-CA-0209;

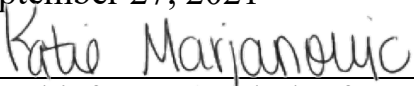
September 27, 2021

Writ application granted. See per curiam.

JLW
JTG
WJC
JBM

Crichton, J., concurs with result.
Griffin, J., concurs with result.

Supreme Court of Louisiana
September 27, 2021



Chief Deputy Clerk of Court
For the Court

09/27/21

SUPREME COURT OF LOUISIANA

No. 2021-CK-01152

STATE OF LOUISIANA

IN THE INTEREST OF C.R.

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FOURTH CIRCUIT, PARISH OF ORLEANS**

PER CURIAM:

Writ granted. C.R. was adjudicated delinquent for violation of La.R.S. 14:39 on September 17, 2019. On that same day, the trial court imposed a sentence of six months in the custody of the Office of Juvenile Justice, suspended, and placed C.R. on active probation for a term of two years, with special conditions. The court of appeal affirmed. *State in Interest of C.R.*, 19-0917 (La. App. 4 Cir. 1/29/20), 290 So.3d 220.

On February 22, 2021, the trial court ordered C.R.'s mother to make restitution to the victim's family. C.R. objected to the order of restitution and sought review in the court of appeal. The court of appeal found that C.R.'s sentence was illegal because the two-year probationary term exceeded the statutory maximum of one year of probation pursuant to La.Ch.C. art. 900, and amended the disposition to impose a one-year active probation term, terminated the probation because more than one year had elapsed, and removed C.R.'s mother from the order of restitution. The court affirmed in all other respects the judgment fixing the amount of restitution. *State in Interest of C.R.*, 21-0209 (La. App. 4 Cir. 7/14/21), ___So.3d___, available at 2021 WL 2956049.

C.R.'s active probation term of two years exceeded the statutory maximum of one year, and thus his active probation should have expired on September 17, 2020.

La.Ch.C. art. 313(A)(5) provides that a juvenile court's duration of jurisdiction over proceedings ends upon the "[e]xpiration, satisfaction, or vacation of a juvenile disposition or adult sentence." Because C.R.'s disposition was no longer in force as of September 17, 2020, *see* La.Ch.C. art. 900(A), the disposition had expired, and the juvenile court lacked jurisdiction to fix the amount of restitution several months later on February 22, 2021.

Accordingly, the juvenile court's order fixing the restitution amount is hereby vacated.