

STATE OF LOUISIANA THROUGH
THE DEPARTMENT OF CHILDREN
AND FAMILY SERVICES

DOCKET NO. _____ DIV. _____

VERSUS

25TH JUDICIAL DISTRICT COURT

FRANCINE CHOUEST

LAFOURCHE PARISH

STATE OF LOUISIANA

PETITION FOR INJUNCTIVE RELIEF

NOW INTO COURT, through undersigned Counsel, comes the State of Louisiana, through the Department of Children and Family Services (“the Department”), who files this Petition for preliminary and permanent injunctive relief under the Child Care Facilities and Child-Placing Agencies Licensing Act.

1.

Defendant, Francine Chouest is an adult resident of this Parish.

2.

Defendant, Francine Chouest does not possess a license from the State of Louisiana to operate a daycare center as defined by Louisiana Statute.

3.

Defendant is operating a child day care facility at 115 Green Acres, Larose, Louisiana, 70373 without a valid child day care license and has done so continuously since at least March 30, 2011.

3.

Defendant is providing care and supervision on a regular basis to seven or more children whose parents do not remain on the premises and who are not related to the caregiver, and operate their facility on a regular basis in excess of twelve and one-half hours per week.

4.

Because defendant does not have a license to operate lawfully and have continued to operate in violation of law despite actual knowledge that a license was required prior to beginning operation the Department asks that a preliminary injunction issue as provided under La. R.S. 46:1422.

5.

After trial on the merits the Department asks that the preliminary injunction be made permanent.

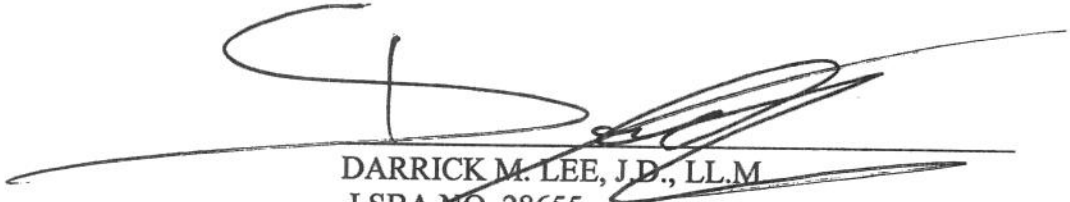
6.

In addition, the Department seeks the statutory fines provided under La. R.S. 46:1421 of not less than seventy-five dollars (\$75.00) per day, nor more than two hundred fifty dollars (\$250.00) per day, for each day defendants have operated a child day care facility without a valid license.

WHEREFORE the Department respectfully requests:

1. That defendant, Francine Choues, be ordered to appear and show cause, on a date and time to be set by this Court, why a preliminary injunction should not issue, without bond, and enjoining, restraining and prohibiting them, their officers, agents, employees, representatives, and all others acting at their direction or on their behalf, from operating a child day care facility without a license during the pendency of these proceedings;
2. That after trial on the merits there be judgment in favor of the Department, and against Defendants, assessing Defendants the mandatory fines of not less than seventy-five dollars per day nor more than two-hundred fifty dollars per day, for each day they have operated a child day care facility without a license;
3. That after trial on the merits a permanent injunction issue, in form and substance like the preliminary injunction requested above; and
4. That all costs of these proceedings be taxed to Defendants.

BY ATTORNEY:



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VERIFICATION


Before me, the undersigned Notary Public, personally came and appeared

ANGIE L. BADEAUX,

627 N. Fourth Street, Baton Rouge, Louisiana, who after being duly sworn stated that she has read the foregoing Petition and that the facts set forth therein are true and correct to the best of her knowledge, ability and belief.


ANGIE BADEAUX, LICENSING DIRECTOR

SWORN AND SUBSCRIBED before me, the undersigned Notary Public, this 25 day of August, 2011.


DARRICK M. LEE, J.D., LL.M.
LA BAR ROLL# 28655

