

STATE OF LOUISIANA THROUGH  
THE DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES

DOCKET NO. \_\_\_\_\_ DIV. \_\_\_\_\_

15TH JUDICIAL DISTRICT COURT

VERSUS

DIANE ROMERO

VERMILION 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, **DIANE ROMERO**, is an adult resident of this Parish.

2.

Defendant, **DIANE ROMERO** 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 9715 LA Hwy 339, Abbeville, Louisiana, 70510 without a valid child day care license and has done so continuously since at least November 17, 2011.

4.

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.

5.

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.

6.

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

7.

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, **DIANE ROMERO**, 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:



DARRICK M. LEE, J.D., LL.M.  
LSBA NO. 28655  
DCFS BUREAU OF GENERAL COUNSEL  
627 N. FOURTH STREET  
P.O. BOX 1887  
BATON ROUGE, LA 70821  
(225) 342-1110 FAX 342-1125

STATE OF LOUISIANA THROUGH  
THE DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES

DOCKET NO. 95254 DIV. I

15TH JUDICIAL DISTRICT COURT

VERSUS

DIANE ROMERO

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VERMILION PARISH

MAY 30 2012

STATE OF LOUISIANA

DCFS GENERAL COUNSEL

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**CONSENT ORDER**

This matter was set for hearing March 19, 2012 on the State's request for a preliminary injunction to halt the operation of an unlicensed child day care facility. Prior to hearing, the parties reached an agreement and enter into this Consent Order on the following terms:

1. Defendant, **DIANE ROMERO** consent to the issuance of a preliminary injunction prohibiting her from operating a child day care facility without a license;
2. In recognition of **DIANE ROMERO** cooperation, the State waives its request for statutory fines and penalties so long as **DIANE ROMERO** complies with this order;
3. **DIANE ROMERO** does agree to allow the Louisiana Department of Children and Family Services access to the facility as necessary to conduct site visits in compliance with state and federal guidelines.

The Court being satisfied that the Consent Order is reasonable under the circumstances, considering the verified petition and supporting affidavits, and is in accordance with law and evidence in this case, therefore

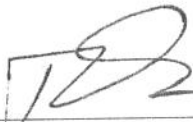
IT IS ORDERED that a preliminary injunction issue, directed to defendant **DIANE ROMERO**, and enjoining, restraining and prohibiting her, her officers, directors, agents, employees, representatives, and all others acting on her behalf, from operating a child day care facility without a license; this preliminary injunction to be effective during the pendency of these proceedings;

IT IS FURTHER ORDERED that the State hereby waives the statutory fines and penalties sought in its petition, contingent upon Defendant's compliance

with this Order;


IT IS FURTHER ORDERED that **DIANE ROMERO** do consistent with this Order,  
allowing the Louisiana Department of Children and Family Services access to the  
facility as necessary to conduct site visits in compliance with state and federal  
guidelines.


So ordered at Abbeville, Louisiana, this 21<sup>st</sup> day of May, 2012.

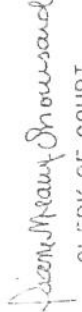
  
\_\_\_\_\_  
JUDGE THOMAS R. DUPLANTIER  
15<sup>TH</sup> JUDICIAL DISTRICT COURT  
Thomas R. Duplantier, District Judge

FOR PLAINTIFF:

FOR DEFENDANTS:

  
\_\_\_\_\_  
DARRICK M. LEE, J.D., LL.M.  
LA. BAR ROLL# 28655  
DEPARTMENT OF CHILDREN  
AND FAMILY SERVICES  
BUREAU OF GENERAL COUNSEL  
P.O. BOX 1887  
627 N. FOURTH STREET  
BATON ROUGE, LA 70821  
(225) 342-1110 FAX 342-9139

  
\_\_\_\_\_  
BART BROUSSARD  
209 E SAINT VICTOR ST  
ABBEVILLE, LA 70510-5122  
PH (337) 893-1705  
FAX (337) 893-1715

VERMILION PARISH, L.A.  
FILED THIS DAY  
2012 MAY 21 P 12:13  
  
CLERK OF COURT

**NOTICE OF SIGNING OF JUDGMENT  
AND CERTIFICATE OF MAILING  
(IN COMPLIANCE WITH ARTICLE 1913 OF THE LA CCP)**

STATE OF LOUISIANA DEPT OF CHILDREN & FAMILY SERVICE VS  
FIFTEENTH JUDICIAL DISTRICT  
PARISH OF VERMILION

DIANE ROMERO STATE OF LOUISIANA

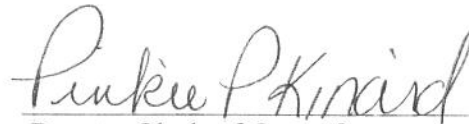
DOCKET NUMBER: C-95254

DARRICK M LEE; P.O. BOX 1887; BATON ROUGE, LA 70821  
BART BROUSSARD; 209 E ST VICTOR ST; ABBEVILLE, LA 70510

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You are hereby notified that a Judgment was signed on **MAY 21, 2012 (CONSENT ORDER)** in the above numbered and entitled cause, a certified copy of said Judgment being attached hereto and made a part hereof.

This service was ordered by **JUDGE THOMAS R DUPLANTIER** and was mailed by the Clerk of Court on the **24TH DAY OF MAY, 2012.**



Deputy Clerk of Court for  
Diane Meaux Broussard  
Clerk of Court

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MAY 30 2012

DCFS GENERAL COUNSEL