

COURT OF APPEAL OF LOUISIANA, FOURTH CIRCUIT

State of Louisiana in the Interest of N.G.

No. 2025-CA-0633 · No. 2025-CA-0633 · Decided December 12, 2025

SUMMARY

The Louisiana Fourth Circuit Court of Appeal affirmed a juvenile court judgment terminating Nickolas Stackpoole’s parental rights to N.G. under La. Ch.C. art. 1015(5). The court held that the parent was aware of the court-approved case plan, failed to substantially comply with it, and could not rely on the incarcerated-parent provisions of La. Ch.C. art. 1036.2 to challenge termination under a different statutory ground.

CASE DETAILS

COURT	Court of Appeal of Louisiana, Fourth Circuit
WRITING FOR THE COURT	Daniel L. Dysart; Sandra Cabrina Jenkins; Tiffany Gautier Chase
JURISDICTION	Court of Appeal of Louisiana, Fourth Circuit
DECIDED	December 12, 2025
DOCKET	2025-CA-0633
DISPOSITION	affirmed
PROCEDURAL POSTURE	Nickolas Stackpoole appealed a juvenile court judgment terminating his parental rights to N.G. under Louisiana Children's Code article 1015(5).
STANDARD OF REVIEW	A termination-of-parental-rights proceeding is reviewed for manifest error. De novo review applies only when the trial court applies incorrect prejudicial principles of law.
PRECEDENTIAL VALUE	published
PARTIES	Nickolas Stackpoole v. State of Louisiana

TOPICS

- termination of parental rights
- parental rights
- family law procedure
- appellate procedure
- standard of review

PRACTICE AREAS

- family law
- termination of parental rights
- juvenile law
- appellate procedure

QUESTIONS PRESENTED

1. Whether the juvenile court properly found grounds for termination under Louisiana Children's Code article 1015(5) when Stackpoole challenged proof that he received a court-filed and court-approved case plan and challenged the finding of substantial noncompliance.
2. Whether termination of Stackpoole's parental rights was improper because DCFS allegedly failed to comply with the notice and assessment requirements of Louisiana Children's Code article 1036.2 before calculating statutory time or seeking termination.

HOLDINGS

1. The juvenile court properly terminated Stackpoole's parental rights under article 1015(5) because the record established that a case plan had been filed and approved by the court, Stackpoole knew the plan's requirements, he failed to complete any portion of it, N.G. had been in DCFS custody for more than one year, and the statutory requirements were proven by clear and convincing evidence.
2. Article 1036.2 did not require reversal because it concerns an incarcerated parent's obligation to provide a reasonable plan for the child's care other than foster care and relates to potential termination under article 1015(6), whereas Stackpoole's parental rights were terminated under article 1015(5) for failure to comply with a case plan.

KEY QUOTATIONS

““Clear and convincing” evidence needs more than a “preponderance,” but less than “beyond a reasonable doubt.”” (p. 3)

“The existence of the disputed fact must be highly probable or much more probable than its nonexistence under the “clear and convincing” standard.” (p. 3)

“More than simply protecting parental rights, our judicial system is required to protect the children’s rights to thrive and survive.” (p. 3)

FACTUAL BACKGROUND

N.G. was exposed to fentanyl, lidocaine, and methamphetamines on April 6-7, 2023, and was treated for cardiac arrest. He was adjudicated a Child in Need of Care, and DCFS obtained custody while his father, Nickolas Stackpoole, was incarcerated. Stackpoole remained incarcerated throughout the CINC and termination proceedings, did not complete any portion of the court-approved case plan, and the juvenile court terminated his parental rights after N.G. had been in DCFS custody for more than one year.

PROCEDURAL HISTORY

N.G. was adjudicated a Child in Need of Care and placed in the custody of the Louisiana Department of Children and Family Services after exposure to drugs and treatment for cardiac arrest. The juvenile court approved a case plan, later found that Stackpoole had not substantially complied with it, and terminated his parental rights after N.G. had remained in DCFS custody for more than one year. The Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- State, In the Interest of L.R.S., 38,812-JAC, p. 7 (La. 6/23/04), 877 So. 2d 1040, 1045-46
- State, In the Interest of J.H. v. R.F.H., 572 So. 2d 629 (La. App. 3 Cir. 1990)
- State, In the Interest of Townzen, 527 So. 2d 579 (La. App. 3 Cir. 1988)
- State, In the Interest of Jones, 567 So. 2d 664 (La. App. 4 Cir. 1990)
- State, In the Interest of C.P., 463 So. 2d 899, 904 (La. App. 2 Cir. 1985)
- State, In the Interest of G.K., 24-0163, p. 9 (La. App. 4 Cir. 6/26/24), 399 So. 3d 433, 440, writ denied, 24-00947 (La. 9/17/24), 392 So. 3d 891
- State, In the Interest of S.M., 98-0922, pp. 14-15 (La. 10/20/98), 719 So. 2d 445, 452

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