

LOUISIANA COURT OF APPEAL, FOURTH CIRCUIT

In re L.T.D., L.M.D.

No. 2025-CA-0831, consolidated with No. 2025-CA-0832 · No. 2025-CA-0831, consolidated with No. 2025-CA-0832 · Decided March 31, 2026

SUMMARY

The Louisiana Fourth Circuit Court of Appeal affirmed an award of sole custody of two minor children to their maternal uncle and his wife rather than to the children's maternal great-aunt. The court held that the district court properly applied Louisiana Civil Code Articles 133 and 134 and did not abuse its discretion in finding that the appellees could provide the children with an adequate and stable environment.

CASE DETAILS

COURT	Louisiana Court of Appeal, Fourth Circuit
WRITING FOR THE COURT	Judge Joy Cossich Lobrano; Judge Tiffany Gautier Chase; Judge Monique G. Morial
JURISDICTION	Louisiana Court of Appeal, Fourth Circuit
DECIDED	March 31, 2026
DOCKET	2025-CA-0831, consolidated with No. 2025-CA-0832
DISPOSITION	affirmed
PROCEDURAL POSTURE	Veronica James appealed the Civil District Court for Orleans Parish judgment awarding sole custody of the minor children to Ian Berrie and Twanna Hill. The appeal challenged both the custody award and the district court's application of the Louisiana best-interest factors.
STANDARD OF REVIEW	Child-custody determinations are reviewed for legal error and, absent legal error, for clear abuse of discretion; the trial court's factual custody determination is entitled to great weight because it is in the best position to determine the child's best interest.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Veronica James v. Ian Berrie, Twanna Hill

TOPICS

- child custody
- family law procedure
- standard of review
- appellate procedure

PRACTICE AREAS

family law

child custody

appellate procedure

QUESTIONS PRESENTED

1. Whether the district court abused its discretion by awarding sole custody of the children to Ian Berrie and Twanna Hill rather than Veronica James.
2. Whether the district court erred by failing to consider the best-interest factors under Louisiana Civil Code article 134.
3. Whether the district court properly applied Louisiana Civil Code article 133 in determining custody between nonparents.

HOLDINGS

1. Article 133 did not require custody to be awarded automatically to the person with whom the children had been living. The district court properly determined that James had not established that she could provide the required wholesome and stable environment as sole legal custodian and then evaluated whether Berrie and Hill could provide an adequate and stable environment.
2. The district court was not required to mechanically list every article 134 factor or assign equal weight to each factor, but it was required to consider the children's best interests in light of all relevant circumstances. The reasons for judgment showed that the district court considered numerous relevant factors and circumstances.
3. The district court committed no legal error in applying articles 133 and 134 and did not abuse its discretion in awarding sole custody to Ian Berrie and Twanna Hill.

KEY QUOTATIONS

“Because the factors are non-exclusive, the district court is not required to mechanically recite each factor or assign equal weight to each.” (3)

“Based on these considerations, the district court determined that it was in the best interest of Children to grant custody to Ian and Twanna, finding that they could provide an adequate and stable environment for Children and that Veronica had not established that she could do so as the sole legal custodian.” (7)

FACTUAL BACKGROUND

The minor children, identical twins born in February 2024, lived with their mother until her death in June 2024 and then were cared for by their maternal relative, Veronica James. The children's maternal half-brother, Ian Berrie, and his wife, Twanna Hill, sought custody, while the children's biological father ultimately acknowledged paternity but testified that he could not care for the children and did not seek custody. The district court determined that James had not established that she could provide the required wholesome and stable environment as sole legal custodian, while Berrie and Hill could provide an adequate and stable environment throughout the children's minority.

PROCEDURAL HISTORY

After the children's mother died, Veronica James and Ian Berrie and Twanna Hill separately petitioned for custody, and the actions were consolidated. The district court later added the children's acknowledged and DNA-confirmed biological father as a party, conducted trial, and on September 22, 2025 awarded sole custody to Berrie and Hill. James timely appealed, and the Louisiana Fourth Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- Mulkey v. Mulkey, 12-2709, p. 15 (La. 5/7/13), 118 So. 3d 357, 367
- Thompson v. Thompson, 532 So. 2d 101 (La. 1988) (per curiam)
- Mire v. Mire, 98-1614, p. 3 (La. App. 4 Cir. 3/24/99), 734 So. 2d 751, 753
- Hodges v. Hodges, 15-0585, pp. 3-4 (La. 11/23/15), 181 So. 3d 700, 703
- State through Dep't of Child. & Fam. Servs. Child Support Enf't v. Knapp, 16-0979, p. 28 (La. App. 4 Cir. 4/12/17), 216 So. 3d 130, 148

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