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DCFS GENERAL COUNSEL

LOUISIANA DEPARTMENT OF
CHILDREN AND FAMILY SERVICES
CHILDCARE LICENSING AND
REGULATORY SECTION

DOCKET NO. 2011-12555 SECT. "M"

2012 JAN 27 P 1:01

ORLEANS CIVIL DISTRICT COURT

PARISH OF ORLEANS

VERSUS

ANNETTE OSBORNE WILLIS
And
LATASHA POOLE

STATE OF LOUISIANA

ORDER

This matter was set for hearing the 10th day of January 2012 on Plaintiff's request for a permanent injunction and penalties for the illegal operation of an unlicensed child daycare facility. Prior to hearing, the court granted the Agencies motion for temporary restraining order and injunction against the named Defendants preventing the continued illegal operation of an unlicensed child daycare facility. The agency sought fines of TWO HUNDRED FIFTY (\$250.00) DOLLARS per day for the time period of said illegal operation, November 1, 2011 through November 30, 2011.

Based on the evidence provided in the above captioned matter, the Court hereby finds that Annette Osborne Willis and Latasha Poole do hereby admit to operating an unlicensed child daycare facility at 2908 General Meyer Ave., New Orleans, Louisiana during the time period of November 1, 2011 through November 30, 2011, except on Thanksgiving Day.

IT IS ORDERED that the Defendants, Annette Osborne Willis and Latasha Poole, hereby agree to pay a fine of ONE THOUSAND TWO HUNDRED FIFTY (\$1250.00) DOLLARS, made payable to the Department of Children and Family Services as penalty for the illegal operation of an unlicensed child daycare facility in violation of La.R.S. 46:1404. Annette Osborne Willis and Latasha Poole shall be solidary liable for the payment of the aforementioned fine.

IT IS FURTHER ORDERED that the Defendants, Annette Osborne Willis and Latasha Poole, shall pay a fine of FOUR THOUSAND SEVEN HUNDRED FIFTY (\$4,750.00) DOLLARS which is the assessment of TWO HUNDRED FIFTY (\$250.00) DOLLARS per day for Nineteen (19) days, if there are any future violations of child daycare licensing laws or if the Department of Children and Family Services determines that the Defendants are operating an unlicensed child daycare facility pursuant to La.R.S. 46:1401 et seq. Annette Osborne Willis and

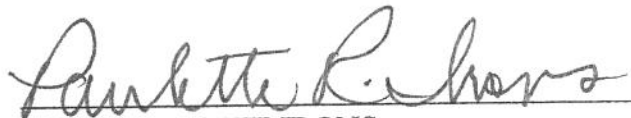
VERIFIED

Latasha Poole shall be solidary liable for the payment of any such fine.

IT IS FURTHER ORDERED that the Defendants, Annette Osborne Willis and Latasha Poole, shall allow the Louisiana Department of Children and Family Services reasonable access to inspect any premises in which the Agency has information of or has reason to suspect that the said Defendants are operating a child daycare facility in violation of La.R.S. 46:1401 et seq.

New Orleans, Louisiana this 26 day of January 2012.

FEB 08 2012



HON. PAULETTE IRONS
JUDGE, ORLEANS DISTRICT COURT

PREPARED BY:



DARRICK M. LEE, J.D., LL.M.
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PLEASE SERVE:


ANNETTE OSBORNE WILLIS and LATASHA POOLE
through their counsel of record:

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ERNESTINE ANDERSON-TRAHAN
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CERTIFICATE OF SERVICE

I certify that I have served a copy of these pleadings on all counsel of record and/or *pro se* litigants by placing a copy of same in the United States mail, first class postage pre-paid and properly addressed, this 26 day of January, 2012.

A TRUE COPY



DEPUTY CLERK, CIVIL DISTRICT COURT
PARISH OF ORLEANS
STATE OF LA.

ENTERED ON MINUTES

FEB 08 2012

LOUISIANA DEPARTMENT OF CHILDREN AND FAMILY SERVICES
CHILD CARE LICENSING AND REGULATORY SECTION

DOCKET NO. 2011-12555 DIV. M-13

ORLEANS CIVIL DISTRICT COURT

VERSUS

ANNETTE OSBORNE WILLIS
and
LATASHA POOLE

FILED
DEC 01 2011 PARISH OF ORLEANS
DEPUTY CLERK
CIVIL DISTRICT COURT
STATE OF LOUISIANA

PETITION FOR T.R.O. AND INJUNCTIVE RELIEF

NOW INTO COURT, through undersigned Counsel, comes the State of Louisiana, through the Louisiana Department of Children and Family Services, Child Care Licensing and Regulatory Section (the Department), who files this petition for a temporary restraining order and for preliminary and permanent injunctive relief.

1.

Defendants ANNETTE OSBORNE WILLIS and LATASHA POOLE are residents of full age of majority of this Parish.

2.

Defendants are operating an unlicensed child day care facility at 2908 General Meyer Avenue in this City, despite knowledge that a license was required prior to beginning operation of such facility, and have done so intermittently since at least May 7, 2003.

3.

Because defendants have continued to operate in knowing violation of law, it is necessary that a temporary restraining order issue, directed to defendants and enjoining, restraining and prohibiting them, their agents, employees, representatives, and all other persons acting at their direction or on their behalf, from operating a child day care facility without first having obtained a license for same from the Department.

4.

To prevent the violation from continuing during the pendency of these proceedings, it is necessary that a preliminary injunction issue, in form and substance like the temporary restraining order requested above, directed to defendants and enjoining, restraining and

prohibiting them, their agents, employees, representatives, and all other persons acting at their direction or on their behalf, from operating a child day care facility without first having obtained a license for same from the Department.

5.

Because of defendants' continuing refusal to comply with the requirements of law, it is necessary that, after due proceedings, a permanent injunction issue, in form and substance like the temporary restraining order and preliminary injunction, to prevent future violations.

6.

Due to defendants' knowing and willful violation of the law, the Department seeks the mandatory fines provided by statute of not less than seventy-five dollars per day, nor more than two hundred fifty dollars per day, for each day that defendants have operated such facility without a license.

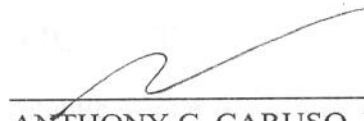
WHEREFORE the Department asks:

1. That a temporary restraining order issue, without notice and without bond, directed to defendants ANNETTE OSBORNE WILLIS and LATASHA POOLE and enjoining, restraining, and prohibiting them, their agents, employees, representatives, and all other persons acting at their direction or on their behalf, from operating a child day care facility until a hearing can be had on the request for a preliminary injunction;
2. That defendants ANNETTE OSBORNE WILLIS and LATASHA POOLE be ordered to appear and show cause, at a date and time to be fixed by this Court, why a preliminary injunction should not issue, without bond, to be effective during the pendency of these proceedings, in form and substance like the temporary restraining order requested above, to enjoin, restrain and prohibit them, their agents, employees, representatives, and all other persons acting at their direction or on their behalf, from operating a child day care facility without first having obtained a license for same from the Department;
2. That after due proceedings be had this Court issue a permanent injunction, in form

and substance like the temporary and preliminary injunctions requested above;

3. That after due proceedings defendants be fined 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 care facility without a license; and
4. That all costs of the proceedings be assessed against defendants.

BY ATTORNEY:



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LOUISIANA DEPARTMENT OF CHILDREN AND FAMILY SERVICES
CHILD CARE LICENSING AND REGULATORY SECTION

DOCKET NO. 11-12555 DIV. "M"-13

ORLEANS CIVIL DISTRICT COURT

VERSUS

PARISH OF ORLEANS

ANNETTE OSBORNE WILLIS
and
LATASHA POOLE

STATE OF LOUISIANA

ORDER

Considering the foregoing verified petition,

IT IS ORDERED that a temporary restraining order issue, without notice and without bond, directed to defendants ANNETTE OSBORNE WILLIS and LATASHA POOLE ANNETTE OSBORNE WILLIS and LATASHA POOLE and enjoining, restraining, and prohibiting them, their agents, employees, representatives, and all other persons acting at their direction or on their behalf, from operating a child day care facility; this Order to issue without notice because Defendants' activity is unlawful and they have been given verbal and written notice of such illegality by the State on numerous prior occasions.

IT IS FURTHER ORDERED that the defendants ANNETTE OSBORNE WILLIS and LATASHA POOLE appear and show cause on the 19th day of December, 2011, at 9:00 o'clock A.m., why a preliminary injunction should not issue, in form and substance like the temporary restraining order above, directed to defendants ANNETTE OSBORNE WILLIS and LATASHA POOLE and enjoining, restraining, and prohibiting them, their agents, employees, representatives, and all other persons acting at their direction or on their behalf, from operating a child day care facility without first having obtained a license for same from the Department of Children and Family Services.

New Orleans, Louisiana this 6th day of DEC 06 2011, 2011 at _____ o'clock ____m.

(Sgd) Paulette R. Irons

JUDGE, ORLEANS CIVIL DISTRICT COURT

DEPUTY CLERK OF COURTS
PARISH OF ORLEANS
STATE OF LOUISIANA
A TRUE COPY

PLEASE SERVE:

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