

Judgment rendered January 22, 2025.
Application for rehearing may be filed
within the delay allowed by Art. 2166,
La. C.C.P.

No. 56,199-JAC

COURT OF APPEAL
SECOND CIRCUIT
STATE OF LOUISIANA

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IN RE: EKUGBERE OWEN OWHE AND
DIANA SHERMAINE COOPER APPLYING FOR
INTRAFAMILY ADOPTION OF K.A.L.C. AND Z.A.L.C.

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Appealed from the
Fourth Judicial District Court
Parish of Ouachita, Louisiana
Trial Court No. A-4372

Honorable Sharon I. Marchman, Judge

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THE BRYAN LAW FIRM
By: Douglas Lee Bryan

Counsel for Appellants,
Ekugbere Owen Owhe
and Diana Shermaine
Cooper

EKUGBERE OWEN OWHE

In Proper Person

DIANA SHERMAINE COOPER

In Proper Person

ODOM-SASKA ADOPTIONS, LLC
By: Terri Hoover Odom

Counsel for Appellees,
K.A.L.C and Z.A.L.C.

* * * * *

Before PITMAN, THOMPSON, and ELLENDER, JJ.

NOT DESIGNATED FOR PUBLICATION
Rule 2-16.3, Uniform Rules, Courts of Appeal.

ELLENDER, J.

Ekugbere Owhe (“Owhe”) and his wife, Diana Cooper (“Cooper”), appeal the trial court’s ruling denying their petition seeking Owhe’s adoption of Cooper’s 12-year-old twin daughters, K.C. and Z.C. The petition for adoption was filed on February 14, 2023, counsel was subsequently appointed for the children, and a hearing to determine whether the adoption was in the best interest of the children was ultimately held on May 13, 2024. After the hearing, the trial court denied appellants’ request, stating it believed Owhe’s primary reason for seeking to adopt K.C. and Z.C. was to facilitate a positive outcome in his pending immigration proceedings.

Owhe and Cooper appealed the trial court’s ruling, the record was lodged, and the case was deemed submitted to this court without oral argument on January 13, 2025. Later this same day, Owhe and Cooper electronically filed an *ex parte* motion asking this court to dismiss their appeal with prejudice.

DISCUSSION

Where there has been no timely answer to the appeal, or other formal action to amend or modify the judgment appealed by any other party, the appellant may, by *ex parte* motion, request that the appeal be dismissed. The appeal shall be dismissed only by order of the court. U.R.C.A. Rule 2-8.4. In the instant appeal, no answer has been filed, nor have appellees sought to amend or modify the judgment on appeal. Accordingly, we grant appellants’ *ex parte* motion to dismiss their appeal. Any consideration of the assignments of error made by appellants is pretermitted as moot.

CONCLUSION

For the above and foregoing reasons, the motion to dismiss the appeal is granted, and Ekugbere Owhe and Diana Cooper's appeal of the trial court's May 13, 2024, judgment denying their petition for adoption is dismissed with prejudice. Costs of this appeal are assessed against appellants.

APPEAL DISMISSED.