

Fifth Circuit Court of Appeal
State of Louisiana

No. 26-C-168

GLORIA ASHLI MAULDIN

versus

DENZELL KING

ON APPLICATION FOR SUPERVISORY REVIEW FROM THE TWENTY-FOURTH JUDICIAL
DISTRICT COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 801-013, DIVISION "N"
HONORABLE STEPHEN D. ENRIGHT, JR., JUDGE PRESIDING

May 29, 2026

FREDERICKA HOMBERG WICKER
JUDGE

Panel composed of Judges Fredericka Homberg Wicker,
Stephen J. Windhorst, and John J. Molaison, Jr.

WRIT DENIED

FHW
SJW
JJM

TRUE COPY



JALISA WALKER
DEPUTY CLERK

COUNSEL FOR DEFENDANT/RELATOR,
GLORIA ASHLI MAULDIN

Ashley B. Johnson-Alford

COUNSEL FOR PLAINTIFF/RESPONDENT,
DENZELL KING

Letita J. Parker-Davis

WICKER, J.

Relator Gloria Ashli Mauldin seeks supervisory review of the trial court's February 23, 2026 judgment sustaining Respondent Denzell King's Objection to the Hearing Officer's September 9, 2025 Recommendations and Interim Judgment on relocation of the parties' minor children, C.K. and R.K. The trial court ordered the children's return to Louisiana and left the December 12, 2019 custody judgment in full force and effect. For the following reasons, we deny the writ application.

PROCEDURAL HISTORY

This is a contested custody and relocation matter. Relator Gloria Ashli Mauldin and Respondent Denzell King have two minor children, C.K. (D.O.B. 7/5/2014) and R.K. (D.O.B. 12/22/2017). In May 2019, Ms. Mauldin moved out of the home she shared with Mr. King; the children moved with Ms. Mauldin. On December 12, 2019, the Hearing Officer of the 24th Judicial District Court granted the parties joint custody, with Ms. Mauldin designated as domiciliary parent and Mr. King awarded visitation.

In July 2025, Ms. Mauldin relocated with the children to Manchester, Georgia. She did not provide written notice of the relocation to Mr. King as required by La. R.S. 9:355.5. As a result, Mr. King filed a Rule for Contempt and related claims against Ms. Mauldin. On September 9, 2025, the Hearing Officer conducted a hearing on the matter and recommended that the children be permitted to remain in Georgia with Ms. Mauldin as the domiciliary parent and established an interim visitation schedule for Mr. King to have custodial time during school breaks and designated holidays, with unlimited telephone and video access.¹ Mr. King filed an Objection to the Hearing Officer's September 9, 2025 Recommendations and

¹ A copy of the Hearing Officer's September 9, 2025 Recommendations and Interim Judgment was not attached to the instant writ application.

Interim Judgment,² and Order of Transfer to District Court. The trial court signed the Order of Transfer on October 28, 2025 and set the matter for hearing.

On February 3, 2026, the trial court held a hearing on Mr. King's Objection to the Hearing Officer's September 9, 2025 Recommendations and Interim Judgment, during which the trial court heard testimony from five witnesses. Neither party introduced exhibits into evidence during the hearing. On February 23, 2026, the trial court issued a judgment sustaining Mr. King's objection as to the relocation of the children and ordering Ms. Mauldin to return the children to Louisiana no later than March 1, 2026. The judgment also kept in place the December 12, 2019 custody judgment.

On March 5, 2026, upon Mr. King's motion, the trial court issued a Judgment to Enforce Immediate Return of Minor Children.³ On March 6, 2026, Ms. Mauldin filed in the trial court an Emergency Motion to Stay Execution of Judgment Pending Supervisory Writ Review pursuant to Uniform Rule 4-4(A), which the trial court granted on March 17, 2026. She then filed a notice of intent to seek supervisory writs and this writ application followed.⁴

FACTS ESTABLISHED AT HEARING

During the hearing, the trial court heard testimony from five witnesses, including Ms. Mauldin and Mr. King, as well as Sophia King (Mr. King's wife and the children's stepmother), Dulcinea Lowery (Mr. King's mother and the children's grandmother), and Roxanne Guevara (Ms. Mauldin's friend). Neither party

² A copy of Mr. King's Objection to the Hearing Officer's September 9, 2025 Recommendations and Interim Judgment was not attached to the instant writ application.

³ Neither a copy of Mr. King's motion nor the trial court's judgment were attached to the instant writ application.

⁴ In her application, Ms. Mauldin requested expedited and emergency consideration, as well as a stay pending disposition. On April 29, 2026, this Court granted Ms. Mauldin's request, staying the execution and enforcement of the trial court's judgments and all other proceedings, pending final disposition of the writ application.

introduced exhibits into evidence during the hearing. We summarize each witnesses' testimony below.

Denzell King

Mr. King testified that he has maintained a close and consistent relationship with the children since their birth, speaking with them daily and remaining actively involved in their upbringing. He stated that he provides financial support through regular child support payments and described his household as structured, with traditions the children enjoy, and testified that the children are generally happy during their time with him. He testified that he resides in a three-bedroom home in Metairie with his wife, his brother, and his mother, Dulcinea Lowery, who assists him with school pickups, homework, and extracurricular activities.

Mr. King further testified that, since the custody proceedings began in 2019, he has complied with all interim and stipulated court judgments, communicates with Ms. Mauldin through a court-approved application, and limits communication to matters concerning the children. He stated that he does not speak negatively about Ms. Mauldin to the children, attempts to de-escalate conflict, and seeks compromise, while allowing the children to communicate freely with her during his custodial periods. However, Mr. King expressed concerns regarding Ms. Mauldin's communication with the children during his custodial time, testifying that she calls them repeatedly, including late at night, and that the children sometimes appear anxious or upset afterward. He further testified that conflicts arise during these calls when his wife, Sophia, or her child are present, and that Ms. Mauldin allegedly yells about them. Mr. King stated that he has not blocked the children's phones and instead encourages them to return calls and provides emotional support.

Mr. King further testified that, prior to the relocation, the children lived their entire lives in Louisiana, where they attended school and participated in sports, and that he regularly exercised weekend visitation. He testified that Ms. Mauldin

relocated the children to Georgia without his knowledge, consent, or court approval, and that he learned of the move through family members after preparations had begun. He stated that, since the relocation, his in-person visitation has been limited to holidays and requires travel for exchanges, resulting in additional expenses and requiring him to provide clothing and necessities for the children.

He testified that the children currently reside with Ms. Mauldin and extended family members in Georgia, expressing concern about the living arrangements and supervision, although he acknowledged that the children are performing well academically and have developed relationships there. He stated that the children appear happy when visiting him in Louisiana but become distressed when returning to Georgia, and that they seem more relaxed and comfortable in Louisiana. Mr. King also testified that Ms. Mauldin does not consistently provide school or medical information despite court orders to do so, and that he receives limited updates regarding the children's education and activities. Mr. King testified that he seeks a cooperative co-parenting relationship but that cooperation has been difficult.

Sophia King

Sophia King, Mr. King's wife and the children's stepmother, testified that she has known the children for approximately one year and is actively involved in their care during visits with Mr. King. She stated that she assists with their daily needs, including meals, hygiene, and activities, and that she is regularly present during visits and at exchange locations, where she also assists with transportation and childcare. She further testified that she does not communicate with Ms. Mauldin regarding co-parenting because Ms. Mauldin has declined to engage with her. Mrs. King testified that the children appear happy and excited at the beginning of visits with Mr. King but become upset and emotionally distressed as the time to return to Ms. Mauldin approaches. She further testified that the children exhibit distress following phone calls with Ms. Mauldin and have expressed a desire to live in

Louisiana, stating that they miss their prior activities and environment. She stated that the children appear happier in Louisiana, where they have their own space and established routines, and that their overall well-being is better in Louisiana, although she acknowledges that her concerns about Georgia are primarily based on the children's stated preferences.

Dulcinea Lowery

Dulcinea Lowery, Mr. King's mother and the children's grandmother, testified that she has been consistently involved in the children's lives and described her role as akin to a second mother. She stated that, when the children resided in Louisiana, she saw them regularly, including on weekends, assisted with school pickups, and provided additional care as needed, including beyond scheduled visitation. She described the children as affectionate and excited to see her but testified that they sometimes appear withdrawn after phone calls with Ms. Mauldin and become sad when leaving Louisiana. Ms. Lowery testified that she has observed Ms. Mauldin yell at the children but has not observed physical abuse, and she expressed concern based on the children's anxious behavior and apparent need for reassurance. She also testified that she has observed conflict between Mr. King and Ms. Mauldin in the children's presence. Ms. Lowery expressed concern about the children's continued residence in Georgia and emphasized their longstanding ties and support system in Louisiana. She acknowledged that Mr. King previously struggled with alcohol use but testified that he sought treatment, has remained sober for more than six months, and has remained present and involved in the children's lives.

Roxanne Guevara

Roxanne Guevara testified that she has known Ms. Mauldin for approximately eight years and had frequent contact with the children while they lived in Louisiana. She stated that she saw them several times per week, participated in activities with

them, and sometimes cared for them independently, including overnight stays and weekend visits, and occasionally assisted with transportation. Ms. Guevara testified that she observed Ms. Mauldin's parenting on numerous occasions and did not witness any worrying behavior, describing Ms. Mauldin as an active and involved parent. She stated that she had limited interaction with Mr. King, observed him infrequently, and could not assess his relationship with the children. Ms. Guevara testified that, following the relocation, she has maintained frequent communication with Ms. Mauldin and receives regular updates about the children's academics and activities. She stated that, based on those communications, the children appear to be doing well, earning good grades, forming friendships, and participating in activities, and that they appear happy and stable in Georgia. She further testified that the children have a support system in Georgia through Ms. Mauldin's extended family.

Gloria Ashli Mauldin

Ms. Mauldin testified that she has been the children's primary caregiver since the parties separated in 2019 and remains responsible for their education, medical care, and daily needs. She stated that the children primarily resided with her, with Mr. King exercising weekend visitation pursuant to a custody judgment beginning in 2020. She further testified that, prior to relocating, she lived with the children in Louisiana, including a period during which they resided with her father due to his illness, before moving into her own residence.

Ms. Mauldin testified that she relocated with the children to Manchester, Georgia, in July 2025. She acknowledged that she did not obtain Mr. King's consent or court approval prior to the move, despite a court order requiring compliance with relocation procedures, but stated that she believed the move was in the children's best interest. She testified that she had previously informed Mr. King that relocation to Georgia was a possibility, citing reasons including access to family support, assistance with childcare, and employment opportunities.

With respect to visitation, Ms. Mauldin testified that Mr. King exercised weekend visitation until early April 2025, after which he ceased regular visitation, allegedly due to financial concerns related to child support. She stated that after April 2025, he did not resume weekend visitation prior to the relocation and had limited contact until a holiday visit at Thanksgiving, for which she transported the children. She testified that, during this period, she arranged and paid for childcare, including babysitters and summer programs.

Regarding communication, Ms. Mauldin testified that Mr. King is able to communicate with the children and that she does not restrict contact, although she acknowledged that work obligations may occasionally delay responses. She denied intentionally interfering with Mr. King's relationship with the children or violating court orders. She acknowledged that she has, at times, spoken negatively about Mr. King in the children's presence but denied making more extreme statements about his relationship with them. She testified that she has no intention of preventing the children from maintaining a relationship with Mr. King or his family and stated that she supports their continued involvement in the children's lives. Ms. Mauldin denied allegations of abuse and testified that she has not engaged in physical misconduct toward the children.

Ms. Mauldin testified that she continues to oversee the children's education and activities in Georgia, stating that they are enrolled in school, performing well academically, and participating in extracurricular activities, including sports. She stated that she has provided Mr. King with access to school-related information by requesting his email for account setup but did not share her personal login credentials. Ms. Mauldin testified that she has borne primary financial responsibility for the children, including expenses for childcare, medical treatment, and orthodontic care, and asserted that Mr. King is not current on his child support obligations. She further testified that the children do not have consistent health

insurance coverage. She also expressed concerns regarding Mr. King's consistency as a caregiver, testifying that he has relied on others, including family members, for assistance with parenting.

According to Ms. Mauldin, the children are thriving in Georgia, developing friendships and new interests. Both children are heavily involved in church youth groups and school athletics such as baseball, soccer, and basketball, and both children have exemplary grades. She requested the trial court affirm the Hearing Officer's recommendations that the children remain with her in Georgia.

Trial Court's Judgment and Written Reasons

On February 23, 2026, the trial court issued a judgment sustaining Mr. King's objection as to the relocation of the children and ordering Ms. Mauldin to return the children to Louisiana no later than March 1, 2026. The judgment also maintained the December 12, 2019 custody judgment.

In its written reasons for judgment, the trial court found that Ms. Mauldin's relocation to Georgia violated Louisiana's relocation statutes, La. R.S. 9:355.1 *et seq.*, because she failed to provide notice to Mr. King and did not obtain his consent or court approval prior to relocating. Based on this noncompliance, the trial court sustained Mr. King's objection and determined that Ms. Mauldin's failure to provide notice provided a basis for ordering the children's return to Louisiana.

The trial court further found that relocation was not in the children's best interest after considering the relocation factors under La. R.S. 9:355.14 and the best-interest factors under La. C.C. art. 134, emphasizing the children's longstanding residence in Louisiana, their established relationships with both parents, the availability of a support system in Louisiana, Mr. King's continued involvement in the children's lives and his sobriety since August 2025, and Ms. Mauldin's lack of cooperation in co-parenting.

ASSIGNMENTS OF ERROR

Ms. Mauldin assigns five errors in her writ application, including:

1. The trial court committed reversible legal error in applying La. R.S. 9:355.6 as an independent, stand-alone basis for ordering the return of the minor children, conflating a discretionary statutory consequence of a notice failure with the mandatory best-interest analysis required by La. R.S. 9:355.10 and La. R.S. 9:355.14.
2. The trial court committed reversible legal error by adopting a “daily physical access” standard that would render out-of-state relocation per se contrary to the best interest of the child and effectively nullify La. R.S. 9:355.1 *et seq.*
3. The trial court manifestly erred in making findings of fact that are directly contradicted by Father’s own admissions and by uncontroverted record evidence, including findings regarding Father’s “consistent presence” in the children’s lives, his sobriety timeline, his living arrangements, and his refusal to engage with the school-communication platform made available to him.
4. The trial court abused its discretion by failing to give any meaningful consideration to statutorily mandated best-interest factors that weighed heavily in Mother’s favor, including Father’s established pattern of thwarting conduct, Mother’s legitimate employment and family-support reasons for relocating, the parties’ respective economic circumstances, and Father’s persistent failure to fulfill financial obligations to the children.
5. The trial court abused its discretion in concluding that relocation is not in the best interest of the minor children, where the overwhelming weight of the record evidence establishes that the children are thriving academically, athletically, spiritually, and emotionally in Georgia and would suffer immediate and irreparable harm from a mid-school-year removal.

Because the assignments of error are interrelated, we will address them together below.

LAW AND ANALYSIS

Ms. Mauldin contends that the trial court abused its discretion in denying her relocation of the children from Louisiana to Georgia and ordering the children to return to Louisiana. A trial court’s determination in a relocation matter is entitled to great weight and will not be overturned on appeal absent a clear showing of abuse of discretion. *Gathen v. Gathen*, 10-2312 (La. 5/10/11), 66 So.3d 1, 8; *Ovide v. Rivers*, 24-140 (La. App. 5 Cir. 10/16/24), 398 So.3d 1184, 1187. In this case, the trial court held a hearing and listened to witness testimony. The trial court sustained

the objection to the hearing officer's report after hearing extensive testimony by five witnesses. The trial court found that it was not in the best interest of the children to allow Ms. Mauldin to relocate the children to Georgia and provided reasons in its judgment.

A person proposing relocation has the burden of proof that the proposed relocation is made in good faith and is in the best interest of the child. La. R.S. 9:355.10; *Hernandez v. Jenkins*, 12-2756 (La. 6/21/13), 122 So.3d 524, 528; *Curole v. Curole*, 02-1891 (La. 10/15/02), 828 So.2d 1094, 1097. Here, Ms. Mauldin bears that burden.

La. R.S. 9:355.14(A) sets forth the twelve factors that the court must consider in determining whether the proposed relocation is in the best interest of the child.⁵ *Ovide*, 398 So.3d at 1188–89. The twelve factors for the court to consider when deciding whether to grant a relocation are set forth in La. R.S. 9:355.14:

A. In reaching its decision regarding a proposed relocation, the court shall consider all relevant factors in determining whether relocation is in the best interest of the child, including the following:

- (1) The nature, quality, extent of involvement, and duration of the relationship of the child with the person proposing relocation and with the non-relocating person, siblings, and other significant persons in the child's life.
- (2) The age, developmental stage, needs of the child, and the likely impact the relocation will have on the child's physical, educational, and emotional development.
- (3) The feasibility of preserving a good relationship between the non-relocating person and the child through suitable physical custody or visitation arrangements, considering the logistics and financial circumstances of the parties.
- (4) The child's views about the proposed relocation, taking into consideration the age and maturity of the child.

⁵ This statute was previously numbered as La. R.S. 9:355.12, but was amended and renumbered to La. R.S. 9:355.14 in 2012. The amendment is not applicable to the instant case. *See Hernandez*, 122 So.3d at 529 n.4.

(5) Whether there is an established pattern of conduct by either the person seeking or the person opposing the relocation, either to promote or thwart the relationship of the child and the other party.

(6) How the relocation of the child will affect the general quality of life for the child, including but not limited to financial or emotional benefit and educational opportunity.

(7) The reasons of each person for seeking or opposing the relocation.

(8) The current employment and economic circumstances of each person and how the proposed relocation may affect the circumstances of the child.

(9) The extent to which the objecting person has fulfilled his financial obligations to the person seeking relocation, including child support, spousal support, and community property, and alimentary obligations.

(10) The feasibility of a relocation by the objecting person.

(11) Any history of substance abuse, harassment, or violence by either the person seeking or the person opposing relocation, including a consideration of the severity of the conduct and the failure or success of any attempts at rehabilitation.

(12) Any other factors affecting the best interest of the child.

The trial court stated in its reasons for judgment that it had considered the twelve factors in La. R.S. 9:355.14 involving relocation, and the best interest of the children test set forth in La. C.C. art. 134. There is no requirement that the court give preferential consideration to any factor. *Hernandez*, 122 So.3d at 528–29; *Gray v. Gray*, 11-548 (La. 7/1/11), 65 So.3d 1247, 1255. Moreover, while La. R.S. 9:355.14 requires the trial court to consider all twelve factors therein, the Louisiana Supreme Court has previously held that the trial court’s failure to expressly analyze each factor in its written or oral reasons will not constitute an error of law such that *de novo* review is appropriate. *Gray*, 65 So.3d at 1255 (citing *Gathen*, 66 So.3d at 9–10). Ultimately, the question on appellate review is whether the trial court, having properly considered all of the factors in La. R.S. 9:355.14, abused its discretion in determining that the relocation would not be in the child’s best interest. *Curole*, 828 So.2d at 1100.

Initially, the trial court found that Ms. Mauldin did not adhere to the notice requirements of relocation before moving the children to Georgia. Generally, La. R.S. 9:355.4 and 9:355.5 require the parent who is proposing to relocate the child to notify the other parent of the proposed relocation, including written notice by registered or certified mail. La. R.S. 9:355.6 further provides:

The court may consider a failure to provide notice of a proposed relocation of a child as:

- (1) A factor in making its determination regarding the relocation of a child.
- (2) A basis for ordering the return of the child if the relocation has taken place without notice or court authorization.
- (3) Sufficient cause to order the person proposing relocation to pay reasonable expenses incurred by the person objecting to the relocation.

La. R.S. 9:355.6 allows the failure to provide notice to be a factor to be considered by the trial court.

Here, the trial court considered the failure of Ms. Mauldin to provide written notice of her intention to relocate the children as required by La. R.S. 9:355.5, including the congruent testimony of Ms. Mauldin and Mr. King on this point. While much of their testimony was conflicting, this much they both agreed on—Ms. Mauldin did not provide Mr. King with the notice required under La. R.S. 9:355.5. Accordingly, La. R.S. 9:355.6 permits the trial court to consider the failure to provide written notice as a factor in deciding the efficacy of the relocating parent's move. The trial court appropriately considered this as a factor.

Additionally, in its reasons for judgment, the trial court recognized that the children have done well in school in both locations. The trial court found that the children were born and raised in Louisiana, that Mr. King is married and maintains a room for the children in the home the family has lived in for years in Louisiana, and that a support system for the children exists in Louisiana. The trial court also found that Mr. King has been a consistent presence in his children's lives, and that,

although he previously struggled with alcohol, he completed rehabilitation and has remained sober since August 2025. While acknowledging that both parents have established relationships with the children, the trial court also found that Mr. King's testimony that Ms. Mauldin refuses to share information and has not facilitated his communications with the children indicates an unwillingness by Ms. Mauldin to coparent. Based on these findings, the trial court concluded that relocation to another state is not in the children's best interest because their father no longer has physical access to them on a daily basis. Accordingly, the trial court determined that it is in the best interest of the children that they be returned to Louisiana immediately.

After a review of the record, we cannot say that the trial court abused its discretion in determining that relocation was not in the best interest of the children. While a different conclusion could have been reached based on the facts presented, the consideration on appeal is whether the trial court abused its great discretion in arriving at its conclusion. *Ovide*, 398 So.3d at 1190. The trial court, sitting as the trier of fact, is in the best position to evaluate the demeanor of the witnesses. *Oliva v. Jones*, 22-385 (La. App. 5 Cir. 3/29/23), 360 So.3d 573, 578. A trial court's determination in a relocation matter is entitled to great weight and will not be overturned on appeal absent a clear showing of abuse of discretion. *Gathen*, 66 So.3d at 9; *Duerson*, 379 So.3d at 753.

CONCLUSION

For the foregoing reasons, we deny the writ application.

WRIT DENIED

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETNA, LOUISIANA 70054
www.fifthcircuit.org

CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. TRAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

(504) 376-1400
(504) 376-1498 FAX

NOTICE OF JUDGMENT AND CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE OPINION IN THE BELOW-NUMBERED MATTER HAS BEEN DELIVERED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 2-16.4 AND 2-16.5** THIS DAY **MAY 29, 2026** TO THE TRIAL JUDGE, CLERK OF COURT, COUNSEL OF RECORD AND ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

26-C-168

E-NOTIFIED

24TH JUDICIAL DISTRICT COURT (CLERK)
HONORABLE STEPHEN D. ENRIGHT, JR. (DISTRICT JUDGE)
ASHLEY B. JOHNSON-ALFORD (RELATOR)
LETITA J. PARKER-DAVIS (RESPONDENT)

MAILED

NO ATTORNEYS WERE MAILED