

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

**DIVISION II**

STATE OF WASHINGTON,  Respondent,  v.  D.R.,  Appellant.	No. 40631-4-II  Consolidated with  No. 40641-1-II
STATE OF WASHINGTON,  Respondent,  v.  D.R.,  Appellant.	No. 40651-9-II
STATE OF WASHINGTON,  Respondent,  v.  D.R.,  Appellant.	No. 40661-6-II  UNPUBLISHED OPINION

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Consolidated with Nos. 40641-1-II, 40651-9-II, 40661-6-II

Worswick, A.C.J. — D.R.<sup>1</sup> previously appealed a manifest injustice disposition on a single cause. We remanded for the juvenile court to correct the dispositional order. In response, and at the State's urging, the juvenile court amended four dispositional orders. D.R. now appeals these amended dispositional orders, claiming that the trial court exceeded the scope of this court's mandate by resentencing him on four causes instead of just the one he appealed. He also argues that even if the juvenile court had authority to do so, it violated his constitutional rights when it failed to credit him for time served prior to the original dispositions.

We asked for supplemental briefing to address whether this matter is moot, as D.R. is no longer incarcerated. *State v. D.R.*, No. 40631-4 (Wash. Ct. App. Aug. 4, 2011). D.R. concedes that this matter is moot but argues that this court should address the merits of his claims because they involve matters of public concern. The State argues, and we agree, that this court should dismiss this case as moot.

#### ANALYSIS

"An issue is moot when a court can no longer provide meaningful relief." *In re Det. of J.S.*, 138 Wn. App. 882, 889, 159 P.3d 435 (2007). As D.R. argues, we may review a moot case

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<sup>1</sup> It is appropriate to provide some confidentiality in this case. Accordingly, this court has determined, in accordance with RAP 3.4, not to use the appellant's name in the case caption or the body of this opinion.

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that involves matters of continuing and substantial public interest. In determining whether review is appropriate, we consider: (1) the public or private nature of the question presented, (2) the desirability of an authoritative determination that will provide future guidance to public officers, and (3) the likelihood that the question will recur. *J.S.*, 138 Wn. App. at 889 -90 (quoting *In re Det. of McLaughlin*, 100 Wn.2d 832, 838, 676 P.2d 444 (1984)).

D.R. argues that this matter meets these criteria because the Grays Harbor Prosecutor's Office routinely argues that whenever a juvenile is being held on multiple counts, the juvenile is not entitled to any credit for time served under RCW 9.94A.505(6). But the State argued below: "Where the respondent was held on multiple cause numbers, he should only receive credit in one case, not multiple cases." Clerk's Papers at 39 (State's Memorandum Re: Amended Orders of Disposition). Further, during the resentencing hearing, the State explained, "Any time he's held on multiple cause numbers I believe it's appropriate to give him credit for one [of] the cause numbers, but not all of the cause numbers." Report of Proceedings (April 16, 2009) at 29. The State's argument appears consistent with case law. See *In re Pers. Restraint Petition of Schaupp*, 66 Wn. App. 45, 48-50, 831 P.2d 156 (1992) (discussing credit for presentence incarceration). And nothing in the record demonstrates an ongoing matter of public concern.

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Addressing the merits of D.R.'s claims will not provide meaningful guidance to the trial courts. *See In re Det. of W.R.G.*, 110 Wn. App. 318, 322, 40 P.3d 1177 (2002). This appeal is dismissed.

A majority of the panel having determined that this opinion will not be printed in the Washington Appellate Reports, but will be filed for public record in accord with RCW 2.06.040, it is so ordered.

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Worswick, A.C.J.

We concur:

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Armstrong, J.

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Quinn-Brintnall, J.