

MEMORANDUM DECISION

Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



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IN THE COURT OF APPEALS OF INDIANA

D.C.,
Appellant-Respondent,

v.

State of Indiana,
Appellee-Petitioner

December 9, 2021

Court of Appeals Case No.
21A-JV-984

Appeal from the Marion Superior
Court

The Honorable Duane Merchant,
Magistrate

Trial Court Cause No.
49D09-2003-JD-262

Crone, Judge.

- [1] D.C. was adjudicated delinquent and was placed on informal probation, from which he was discharged after several months. D.C. appeals that disposition, and we dismiss his appeal as moot.
- [2] In March 2020, the State filed a delinquency petition alleging that D.C., who was born in November 2000, committed acts in 2014 or 2015 that would constitute level 3 felony and level 4 felony child molesting if committed by an adult. In March 2021, after a factfinding hearing, the trial court adjudicated D.C. delinquent for the level 3 felony allegation and not delinquent for the level 4 felony allegation. The court placed D.C. on informal probation, from which he was discharged in July 2021.
- [3] D.C. now appeals, arguing that the trial court abused its discretion in placing him on probation. The State argues, and we agree, that this appeal should be dismissed as moot because we cannot render effective relief to D.C. *C.J. v. State*, 74 N.E.3d 572, 575 (Ind. Ct. App. 2017), *trans. denied*. D.C. urges us to address his appeal under the public interest exception to the mootness doctrine, “which may be invoked when the issue involves a question of great public importance which is likely to recur.” *T.W. v. St. Vincent Hosp. & Health Care Ctr., Inc.*, 121 N.E.3d 1039, 1042 (Ind. 2019) (quoting *Matter of Tina T.*, 579 N.E.2d 48, 54 (Ind. 1991)). But D.C. does not argue that the specific issue that he raises

involves a question of great public importance, and we note that Indiana case law provides plenty of guidance on that issue.¹ Consequently, we dismiss.

[4] Dismissed.

Bradford, C.J., and Tavitas, J., concur.

¹ D.C. relies on *W.R.S. v. State*, in which another panel of this Court addressed an otherwise moot appeal from juvenile detention and dispositional orders based on the public interest exception to the mootness doctrine because it determined that the issues raised would “likely arise again but [would] evade appellate review[.]” 759 N.E.2d 1121, 1123 (Ind. Ct. App. 2001). In *C.J.*, however, we noted that our supreme court had rejected this “reliance on the ‘likely to evade review’ element in deciding whether to resolve a moot case on the merits under [the public interest exception].” 74 N.E.3d at 575 n.2 (quoting *In re Lawrance*, 579 N.E.2d 32, 37 n.2 (Ind. 1991)). We further observed that the issues raised in *W.R.S.* “involved alleged statutory violations, or issues that were likely to recur if not resolved by an appellate court.” *Id.* D.C. raises no such issue here.