

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

IN THE INTEREST OF: J.A., A MINOR : IN THE SUPERIOR COURT OF
: PENNSYLVANIA
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APPEAL OF: D.A., MOTHER :
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: No. 1548 MDA 2017

Appeal from the Order September 25, 2017
In the Court of Common Pleas of York County Juvenile Division at No(s):
CP-67-DP-0000262-2016

BEFORE: GANTMAN, P.J., McLAUGHLIN, J., and PLATT*, J.

JUDGMENT ORDER BY McLAUGHLIN, J.: **FILED OCTOBER 12, 2018**

D.A. (Mother) has appealed from the order entered September 25, 2017, authorizing York County Office of Children, Youth and Families (Agency) to obtain the circumcision of a dependent child, J.A., over Mother’s objection. When it adjudicated J.A. dependent, the court granted physical and legal custody of J.A to the Agency, but gave Mother shared medical rights. Because the Court of Common Pleas subsequently terminated Mother’s parental rights,¹ the controversy before this Court is now moot and we dismiss this appeal.

“A case is ‘moot’ when a determination is sought on a matter which, when rendered, cannot have any practical effect on the existing controversy.”

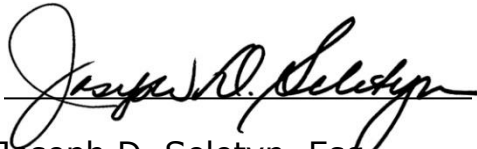
* Retired Senior Judge assigned to the Superior Court.

¹ **See** Order, *In the Interest of J.A., a Minor*, CP-67-DP-262-2016 (York County entered March 6, 2018) (terminating Mother’s parental rights to J.A.). We confirmed that the termination order is not subject to any appeal.

Commonwealth v. Nava, 966 A.2d 630, 632–33 (Pa.Super. 2009). The controversy under review here is the juvenile court’s resolution of the controversy between Mother and the Agency as to whether the Agency could obtain the circumcision of J.A. over Mother’s objection. That controversy no longer exists because Mother no longer has parental rights to J.A. Any decision we might render in this appeal would therefore have no practical effect because upon remand, the person or entity having legal custody of J.A. could obtain the circumcision regardless of our decision and regardless of Mother’s views. We therefore decline to entertain this appeal further, and we dismiss it. We also vacate our stay of the September 25, 2017 order.

Appeal dismissed. Stay vacated.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn". The signature is written in a cursive, flowing style.

Joseph D. Seletyn, Esq.
Prothonotary

Date: 10/12/2018