

Circuit Court for Prince George's County
Case No. CINA-16-0215

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 1088

September Term, 2017

IN RE: D.B.

Eyler, D.
Kehoe,
Battaglia, Lynne A.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Battaglia, J.

Filed: January 23, 2018

This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

Ms. F., appellant, appeals from a July 20, 2017 interlocutory order, issued by the Circuit Court for Prince George’s County, sitting as a juvenile court, changing the permanency plan for her son, D.B., a minor child adjudicated in need of assistance (“CINA”),¹ from “liberal unsupervised daytime visits” with his biological father, Mr. B., to reunification with Mr. B, while leaving unchanged the permanency plan with respect to Ms. F., as “liberal and supervised visits as arranged by [the Department].”

Subsequent to the filing of Ms. F.’s notice of appeal, the juvenile court issued a final order on October 30, 2017, granting physical custody of D.B. to Mr. B., joint legal custody to Ms. F. and Mr. B., and closing the CINA case. Ms. F. did not file a notice of appeal of the October 30, 2017 order.

Appellees, Prince George’s County Department of Social Services (“the Department”) and Mr. B., have moved to dismiss the appeal as moot. Ms. F. did not file a response to the motions to dismiss. We shall grant the motions to dismiss the appeal.

Maryland Rule 8-602(a)(10) provides that this Court may dismiss an appeal if the case has become moot. “A case is moot ... when the court can no longer fashion an effective remedy.” *In re Kaela C.*, 394 Md. 432, 452 (2006). Because Ms. F. failed to appeal from the October 30, 2017 order of the juvenile court closing the CINA case, a review of the merits of the July 20, 2017 order would be of no effect, as that order has

¹ A “child in need of assistance” (“CINA”) is one who requires court intervention because the child has been abused or neglected, or has a developmental disability or mental disorder; and his or her “parents/guardian, or custodian are either unable or unwilling to give proper care and attention to the child and the child’s needs.” Md. Code (1973, 2013 Repl. Vol., 2017 Supp.) §3-801(f) of the Courts and Judicial Proceedings Article (“CJP”).

been superseded. As a result, the July 20, 2017 order has been rendered moot, and the appeal must be dismissed.

**APPEAL DISMISSED. COSTS TO BE
PAID BY APPELLANT.**