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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION THREE

In re T.S., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,
Plaintiff and Respondent,
v.
T.S.,
Defendant and Appellant.

A134599 & A135381

(Contra Costa County
Super. Ct. No. J1100077)

T.S. appeals from a dispositional order of the juvenile court that placed him in juvenile hall subject to a subsequent status review. We dismiss his appeal as moot because T.S. was released from juvenile hall in August 2012 and we can grant no effective relief.

BACKGROUND

The particulars of T.S.'s offenses are not relevant to the issues before us, which concern the propriety of the juvenile court's decision to place him in juvenile hall. It suffices to pick up the narrative at the dispositional hearing on February 2, 2012, when the court committed T.S. to the Orin Allen Youth Rehabilitation Facility for a period not to exceed nine months. T.S. filed a timely notice of appeal from this order.

In April 2012, while T.S.'s first appeal was pending, medical problems necessitated removing T.S. from the Orin Allen facility or any other outdoor, ranch-like

setting until the fall, after the end of allergy season. On April 27, the court ordered that T.S. be placed in juvenile hall and set a six-month status review hearing for August 2. T.S. filed a second timely appeal from this modified disposition, which we consolidated with his prior appeal.

T.S. was released to his mother on August 2.¹

DISCUSSION

T.S. asserts that long-term commitment to juvenile hall is unauthorized by statute and, in this case, was an abuse of discretion because the court failed to first establish there were no other placement options within the county. He also maintains his placement was an abuse of discretion because there was insufficient evidence that it served a rehabilitative purpose. We will not resolve these contentions because, as T.S. concedes, his August 2 release rendered his claims moot. “ ‘As a general rule, an appellate court only decides actual controversies. It is not the function of the appellate court to render opinions “ ‘ ‘ ‘upon moot questions or abstract propositions, or . . . declare principles or rules of law which cannot affect the matter in issue in the case before it.’ ” ’ ” “[A] case becomes moot when a court ruling can have no practical effect or cannot provide the parties with effective relief.” ’ ’ ” (*People v. Gregerson* (2011) 202 Cal.App.4th 306, 321; *cf. In re Antoine D.* (2006) 137 Cal.App.4th 1314, 1324.)

T.S. urges us to nonetheless entertain this appeal because whether juvenile courts may properly order long-term juvenile hall placements of six months or more is a question of broad public interest that is capable of repetition but likely to evade review. (See, e.g., *State of Cal. ex rel. State Lands Com. v. Superior Court* (1995) 11 Cal.4th 50, 61.) This is so, he argues, because his own confinement did not last long enough for the appellate process to work its course. We disagree.

Notably, T.S.’s only support for this position is *In re Christina A.* (2001) 91 Cal.App.4th 1153, 1159, a case the appellate court found qualified for the “capable of

¹ We grant the People’s request for judicial notice of the minute order in this case filed October 4, 2012. (See Evid. Code, §§ 452 subd. (d)(1), 459.)

repetition, yet evading review” exception to the general bar against deciding moot cases. But, *Christina A.* is inapposite. The alleged error there concerned whether the six-month review period in certain dependency cases runs from the jurisdictional hearing or the dispositional hearing. Although the review hearing in *Christina A.* was held while the appeal was pending, the appellate court recognized that the brief time period before the six-month review is held under either scenario will generally prevent appellate resolution of the issue before the review hearing can take place. Accordingly, the appellate court exercised its discretion to address the issue even though the hearing in that particular case had come and gone. (*Id.* at pp. 1157–1159, 1165.)

This is not such a case. T.S. is complaining not about when his six-month review hearing was held, but rather that he was given a lengthy commitment to juvenile hall instead of a less restrictive placement. Nothing in the nature of his claims is inherently related to the short duration of his actual confinement there or precludes their being raised in other cases by juvenile offenders with longer commitments. Moreover, it is possible that the outcome of the issue T.S. urges us to consider may be affected by the circumstances of the particular case. As there is no apparent reason to believe the issues T.S. raises are likely to evade appellate review, we dismiss his appeal for mootness.

DISPOSITION

The appeal is dismissed.

Siggins, J.

We concur:

McGuiness, P.J.

Pollak, J.