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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

In re J.D., a Person Coming Under
the Juvenile Court Law.

2d Crim. No. B275710
(Super. Ct. No. 16JV-00043)
(San Luis Obispo County)

THE PEOPLE,

Plaintiff and Respondent,

v.

J.D.,

Defendant and Appellant.

The San Luis Obispo District Attorney filed an amended juvenile wardship petition (Welf. & Inst. Code, § 602, former subd. (a))¹ alleging that appellant J.D. committed the

¹ All further statutory references are to the Welfare and Institutions Code unless otherwise stated.

felony offense of making criminal threats (Pen. Code, § 422, subd. (a)) and the misdemeanor offense of altering the appearance of an imitation firearm (*id.* § 20150). Appellant admitted the misdemeanor charge. The felony charge was dismissed, but the parties agreed that it could be considered as true for purposes of the disposition hearing.

Appellant was declared a ward of the juvenile court and placed on probation. On appeal, he contends that two of his probation terms are unconstitutional. Specifically, he contests Term 22, which requires that he “[s]ubmit to search of any electronic devices used to store or transmit information that you own, possess, or control, at any time, with or without probable cause, by probation or law enforcement; to include . . . ‘password[s] for purpose of identifying possession or ownership of weapons and threats of violence.’” He also challenges Term 45, requiring that the probation department approve in advance any video games appellant wishes to play.

The matter was scheduled for oral argument on June 15, 2017. On June 9, 2017, appellant’s counsel advised that appellant “has completed probation and the [juvenile] court has terminated probation.” We subsequently confirmed with the juvenile court that appellant has successfully completed probation and that the court has terminated his wardship, dismissed his section 602 petition and ordered that his juvenile records be sealed under section 786.²

² We take judicial notice of the juvenile court’s minute order dated May 16, 2017, noting that the court has considered the report of probation and ordered the wardship terminated and the petition dismissed. (Evid. Code, §§ 452, subd. (d), 459.)

“A case is moot when the decision of the reviewing court ‘can have no practical impact or provide the parties effectual relief. [Citation.]’ [Citation.] ‘When no effective relief can be granted, an appeal is moot and will be dismissed.’ [Citation.]” (*MHC Operating Limited Partnership v. City of San Jose* (2003) 106 Cal.App.4th 204, 214.) Now that appellant is no longer on probation, we conclude that the appeal challenging the terms of his probation is moot and should be dismissed.

Appellant’s counsel does not dispute that the appeal is moot, but requests that we exercise our discretion to decide the issues presented. We decline to do so. Appellant has not demonstrated that the “pending case poses an issue of broad public interest that is likely to recur.” (*In re William M.* (1970) 3 Cal.3d 16, 23; *Steiner v. Superior Court* (2013) 220 Cal.App.4th 1479, 1485-1486.)

The appeal is dismissed as moot.

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PERREN, J.

We concur:

YEGAN, Acting P. J.

TANGEMAN, J.

Linda D. Hurst, Judge
Superior Court County of San Luis Obispo

Laini Millar Melnick, under appointment by the
Court of Appeal, for Defendant and Appellant.

Xavier Becerra, Attorney General, Gerald A. Engler,
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Deputy Attorney General, and Analee J. Brodie, Deputy Attorney
General, for Plaintiff and Respondent.