

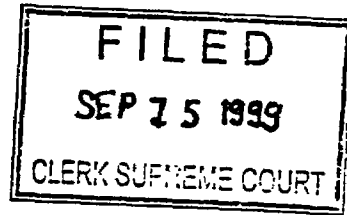
IN THE COURT OF APPEALS OF IOWA

No. 1999-199 (9-423) / 98-1803

Filed September 15, 1999

IN THE INTEREST OF S.F., A Minor Child,

**S.F., Minor Child,
Appellant.**



Appeal from the Iowa District Court for Black Hawk County, Daniel L. Block,
Associate Juvenile Judge.

A minor child appeals from a juvenile court ruling finding he committed two
delinquent acts of terrorism. **APPEAL DISMISSED.**

Timothy D. Ament of Gartelos, Wagner & Ament, Waterloo, for appellant.

Thomas J. Miller, Attorney General, Chris C. Odell, Assistant Attorney
General, and Melissa Smith, Assistant County Attorney, for appellee State.

Considered by Streit, P.J., and Mahan, and Zimmer, JJ.

000058

ZIMMER, J.

A minor child appeals from a juvenile court ruling finding he committed two delinquent acts of terrorism, in violation of Iowa Code section 708.6. Shane argues that the juvenile court erred by finding that he had used a dangerous weapon within the meaning of Iowa Code section 702.7. He also contends the evidence was insufficient to support his adjudication on terrorism charges. Finding that the appeal is now moot, we dismiss.

Shane was arrested in October of 1997. Following an adjudicatory hearing in July of 1998, the juvenile court concluded that Shane had committed two delinquent acts of terrorism. In its dispositional order, the juvenile court set a review hearing for six months later. Shane appealed. While the appeal was pending, the juvenile court dismissed the underlying proceeding against Shane on March 12, 1999, after the review hearing. On April 23, 1999, the State filed a motion to dismiss the appeal, contending that there was no longer any justiciable controversy because the underlying case had been dismissed. Shane filed no resistance. The motion has been ordered submitted with the appeal. We find the motion dispositive.

Generally, we dismiss an appeal when "judgment, if rendered, will have no practical legal effect upon the existing controversy." *Christensen v. Iowa Dist. Ct.*, 578 N.W.2d 675, 679 (Iowa 1998). The present appeal is mooted by the dismissal of the underlying proceeding against Shane. We are not invited to consider whether the juvenile court acted outside its authority or to apply the exceptions to the mootness

doctrine. *See Iowa Freedom of Info. Council v. Wifvat*, 328 N.W.2d 920, 922 (Iowa 1983) (appeal should not be dismissed as moot where matters of public importance are presented and the problem is likely to recur); *T & K Roofing Co. v. Iowa Dep't of Educ.*, ____ N.W.2d ____ (Iowa 1999) (same).

APPEAL DISMISSED.