

STATE OF MAINE

SUPREME JUDICIAL COURT
Sitting as the Law Court
Docket No. Ken-14-192

IN RE A.P.

ORDER OF DISMISSAL

Pending before the Court are the mother's appeals from a judicial review order entered on April 24, 2014, and a jeopardy order entered on June 3, 2014. The mother appeals from the court's decision transferring medical decision-making authority from the mother to the Department of Health and Human Services and authorizing the Department to consent to a do-not-resuscitate order regarding the mother's infant daughter, A.P.

The Department has now filed a motion to dismiss the appeal based on its change in position as evidenced by an affidavit of the Commissioner of the Department averring that, regardless of the outcome of this appeal, the Department will not exercise the authority granted by the court's order.

Upon consideration of the motion to dismiss, including the mother's opposition to the motion, it is hereby determined that there is no longer a live controversy between the parties. *See Anthem Health Plans of Me., Inc. v. Superintendent of Ins.*, 2011 ME 48, ¶ 5, 18 A.3d 824 ("When determining whether a case is moot, we examine whether there remain sufficient practical effects flowing from the resolution of [the] litigation to justify the application of limited judicial resources." (alteration in original) (quotation marks omitted)); *Me. Sch. Admin. Dist. No. 37 v. Pineo*, 2010 ME 11, ¶ 8, 988 A.2d 987 ("We will not expend limited judicial resources to review the legal correctness of a decision that will no longer affect the parties involved.").

