MEMORANDUM DECISION

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FILED
May 04 2023, 9:18 am
CLERK
Indiana Supreme Court
Court of Appeals
and Tax Court

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IN THE COURT OF APPEALS OF INDIANA

J.C.,

Appellant-Respondent,

v.

D.C.,

Appellee-Petitioner.

May 4, 2023

Court of Appeals Case No. 22A-PO-2637

Appeal from the Knox Circuit Court

The Hon. Jeffrey L. Biesterveld, Special Judge

Trial Court Cause Nos. 42C01-2201-PO-10 42C01-2107-DC-132

Memorandum Decision by Judge Bradford
Judges May and Mathias concur.

Bradford, Judge.

Case Summary

[1] D.C. ("Wife") petitioned for dissolution of her marriage to J.C. ("Husband") in Knox County in July of 2021. In January of 2022, Wife petitioned the trial court for an *ex parte* protective order, which petition the trial court granted. Ultimately, the trial court issued a permanent protective order set to expire on March 3, 2023. Husband contends that the trial court abused its discretion by initially granting Wife's petition for an *ex parte* protective order, failing to promptly set a hearing on the matter, and issuing a permanent protective order. Because the protective order from which Husband appeals has expired, we cannot give him the relief he requests and so dismiss his appeal as moot.

Facts and Procedural History

[2] On July 21, 2021, Wife filed petitioned for the dissolution of her marriage to Husband in cause number 42C01-2107-DC-000132. On January 18, 2022, Wife petitioned for an *ex parte* protective order against Husband and created the new cause number 42C01-2201-PO-10.[1] The same day, the trial court granted the petition and set a hearing for February 16, 2022. After several extensions of the *ex parte* protective order, the trial court, on September 29, 2022, held a hearing on all pending matters and, four days later, issued an order in which it granted, *inter alia*, Wife's motion for a permanent protective order, to expire on March 3, 2023.

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[1] The two cases were eventually consolidated.

Discussion and Decision

[3] Husband contends that the trial court abused its discretion by initially granting Wife's petition for an *ex parte* protective order, failing to promptly set a hearing on the matter, and issuing a permanent protective order. As an initial matter, we note that Wife did not file an appellate brief, and we will not undertake the burden of developing arguments for her. *See State Farm Ins. v. Freeman*, 847 N.E.2d 1047, 1048 (Ind. Ct. App. 2006). Under such circumstances, however, we do apply "a less stringent standard of review with respect to showings of reversible error" and "may reverse the lower court if the appellant can establish *prima facie* error." *Id.*

[4] That said, we need not address Husband's arguments regarding the *ex parte* and permanent protective orders, as the case is moot. "A case becomes moot when it is no longer live and the parties lack a legally cognizable interest in the outcome or when no effective relief can be rendered." *Liddle v. Clark*, 107 N.E.3d 478, 481 (Ind. Ct. App. 2018) (citing *Save Our Sch. v. Ft. Wayne Cmty. Schs.*, 951 N.E.2d 244 (Ind. Ct. App. 2011), *trans. denied*), *trans. denied*. Specifically, a request for injunctive relief is moot when no relief is possible or if the relief sought has already occurred. *See, e.g.*, *Medley v. Lemmon*, 994 N.E.2d 1177, 1183 (Ind. Ct. App. 2013) (request for injunctive relief regarding visitation restrictions became moot when those restrictions expired), *trans. denied*. By the time this appeal was transmitted to the Court of Appeals on April 18, 2023, the permanent protective order had been expired for over a

month,[2] meaning that we cannot give Husband the relief he requests. Consequently, we dismiss Husband's appeal as moot.

[5] We dismiss.

May, J., and Mathias, J., concur.

[2] While it is true that Husband filed his brief before the order was set to expire on March 3, 2023, he has made no subsequent submission indicating that the protective order has been extended beyond that date.