OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION THREE

D.R.F. III,	)	No. ED109371
	)	
Respondent,	)	Appeal from the Circuit Court of
	)	Jefferson County
vs.	)	
	)	Honorable Timothy S. Miller
D.L.S.,	)	
	)	
Appellant.	)	Filed: February 15, 2022

D.L.S. ("Appellant") appeals the trial court's entry of a full order of protection to D.R.F. III ("Respondent") following a hearing. Appellant raises three points on appeal. In Point I, Appellant argues the trial court erred by entering the order of protection because Appellant and Respondent are not family or members of the same household. In Point II, Appellant argues the order of protection was unlawful because Respondent failed to prove each statutory element of stalking. In Point III, Appellant argues the trial court erred by taking judicial notice of other cases involving the parties.

DISMISSED FOR MOOTNESS.

DIVISION III HOLDS:
The protective order Appellant challenges expired December 17, 2021 and was not extended. "Because mootness implicates the justiciability of a controversy and is a threshold issue to appellate review, this Court must consider, either on a party's motion or acting *sua sponte*, whether an appeal is moot. *D.C.M. v. Pemiscot Cty. Juvenile Office*, 578 S.W.3d 776, 780 (Mo. banc 2019) (internal alterations omitted). This Court does not decide moot issues, subject to two exceptions: (1) if the case becomes moot after argument and submission or (2) the issue is of general public interest and importance, recurring in nature, and will otherwise evade appellate review. *Jenkins v. McLeod*, 213 S.W.3d 831, 832 (Mo. App. E.D. 2007). "Lapsed protective orders . . . are not of adequate public interest to require appellate review." *Id.*

Opinion by: Philip M. Hess, Presiding Judge
Angela T. Quigless, Judge and Colleen Dolan, Judge concur.

Attorney for Appellant: D.L.S., Pro Se

Attorney for Respondent: D.R.F. III, Pro Se

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.