

Circuit Court for Charles County
Case No. C-08-JV-22-000011

UNREPORTED
IN THE APPELLATE COURT
OF MARYLAND

No. 330

September Term, 2022

IN RE: G.C.

Friedman,
Albright,
Harrell, Glenn T., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: February 7, 2023

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

*At the November 8, 2022 general election, the voters of Maryland ratified a constitutional amendment changing the name of the Court of Special Appeals of Maryland to the Appellate Court of Maryland. The name change took effect on December 14, 2022.

In February 2022, the State filed a delinquency petition charging G.C., appellant, with three counts of sexual abuse of a minor by a household or family member and one count of continuing course of conduct as a child. Those offenses were allegedly committed by G.C. between 2013 and 2016. Because G.C. was 21 years old at the time the petition was filed, the State filed a Petition to Waive Juvenile Jurisdiction. The Circuit Court for Charles County, sitting as a juvenile court, denied that request on March 23, 2022, finding that the State had failed to comply with Maryland Rule 11-410(b)(2)(A).

Thereafter, the juvenile court held an adjudicatory hearing, over G.C.’s objection, and found G.C. involved in two counts of sexual abuse of minor by a household or family member and one count of continuing course of conduct against a child. Thereafter, the court determined that it lacked jurisdiction to enter a disposition and closed the case. This appeal followed.

On appeal, G.C. contends that the juvenile court lacked jurisdiction to hold an adjudicatory hearing and make findings of involvement after it denied the State’s petition to waive jurisdiction. The State agrees, as do we. The juvenile court has jurisdiction “only for the purpose of waiving it, over a person 21 years of age or older who is alleged to have committed a delinquent act while a child.” Cts. & Jud. Proc. § 3-8A-07(e); *In re Appeals No. 1022 and 1081*, 278 Md. 174 (1976) (holding that under the previous version of Section 3-8A-07 the juvenile court was precluded from exercising jurisdiction over an adult once that court determines waiver is inappropriate). Because G.C. was 21 years of age at the time the delinquency petition was filed, the juvenile court’s jurisdiction ended

after it denied the State’s waiver request, and the juvenile petition should have been dismissed. Consequently, the court lacked jurisdiction to conduct the adjudicatory hearing and to find G.C. involved in any of the charged offenses.

**JUDGMENTS OF THE CIRCUIT COURT
FOR CHARLES COUNTY VACATED.
CASE REMANDED TO THE JUVENILE
COURT WITH INSTRUCTIONS TO
DISMISS THE JUVENILE PETITION.
COSTS TO BE PAID BY CHARLES
COUNTY.**