# CAPTION: IN RE: J.C.

**09-01-23**

APPEAL NO.: C-220554

TRIAL NO.: 22-1680z

KEY WORDS: EVIDENCE – SUFFICIENCY – RESISTING ARREST

SUMMARY:

Where the officer could not testify as to the details of the conversation

which formed the basis of his probable cause determination, there was insufficient evidence that the juvenile was lawfully arrested for resisting arrest and aggravated menacing. [*But see* DISSENT: Where the juvenile court magistrate terminated the juvenile’s case prior to disposition and the juvenile court adopted the magistrate’s decision terminating the case and remitted costs, the juvenile never received a disposition on her delinquency adjudication for resisting arrest, and therefore, the appellate court has no jurisdiction over the juvenile’s appeal and it should be dismissed.]

JUDGMENT: REVERSED AND APPELLANT DISCHARGED

JUDGES: OPINION by KINSLEY, J.; CROUSE, P.J., CONCURS, and WINKLER, J., DISSENTS.