# CAPTION: IN RE A.C., A MINOR CHILD

**05-01-24**

APPEAL NOS.: C-230359

C-230360

C-230361

TRIAL NOS.: 19-005532X

19-003199X

19-003198X

KEY WORDS: JUVENILE — JURISDICTION — FINAL APPEALABLE ORDER — R.C. 2505.02 — PLEA AGREEMENT

SUMMARY:

Because judicial release hearings are special proceedings and the state’s substantial right of enforcement of its plea agreements was affected by the juvenile court’s order granting the juvenile’s motion for early judicial release, the state sought leave to appeal from final appealable orders under R.C. 2505.02(B) where the state and the juvenile had entered into a plea agreement whereby the juvenile court was prohibited from granting early judicial release from the Department of Youth Services and the court had granted the juvenile’s motion for early judicial release.

Where the juvenile court was not a party to the plea agreement, it was free to grant the juvenile early judicial release in contravention of the plea agreement. [*But see* DISSENT: The juvenile court erred in granting judicial release because A.C. entered into a binding plea agreement with the state where he agreed to serve the entire term of his juvenile disposition, effectively waiving his eligibility for judicial release.]

JUDGMENT: AFFIRMED

JUDGES: OPINION by KINSLEY, J.; ZAYAS, P.J., CONCURS IN PART AND DISSENTS IN PART and CROUSE, J., CONCURS.