

DISTRICT OF COLUMBIA COURT OF APPEALS

In re S.M.

No. 25-FS-0517 (D.C. Jan. 29, 2026) · No. 25-FS-0517 · Decided January 29, 2026

SUMMARY

The District of Columbia Court of Appeals addresses whether an order continuing a juvenile’s detention and changing the location of detention is subject to emergency interlocutory review under D.C. Code § 16-2328. The court holds that such an order is reviewable and that a juvenile may challenge both continued detention and the detention location. It further holds that selecting a particular detention location does not require a finding that that location, as opposed to another, is necessary to protect safety or secure the child’s appearance, although continued detention itself must satisfy the statutory detention criteria.

CASE DETAILS

COURT	District of Columbia Court of Appeals
WRITING FOR THE COURT	Associate Judge McLeese; Associate Judge Easterly; Senior Judge Glickman
JURISDICTION	District of Columbia Court of Appeals
DECIDED	January 29, 2026
DOCKET	25-FS-0517
DISPOSITION	vacated
PROCEDURAL POSTURE	Emergency interlocutory appeal from an order changing the location of a juvenile's detention from the Youth Shelter House to the Youth Services Center. After the juvenile was released and the appeal became moot, the court granted rehearing in part to explain issues of general legal significance and vacated certain case-specific portions of its prior judgment order.
STANDARD OF REVIEW	Statutory interpretation is reviewed under the statutory text's ordinary sense and plain meaning. The selection of a particular detention location is reviewed as a discretionary decision guided by the statutory purposes and detention criteria.
PRECEDENTIAL VALUE	published
PARTIES	S.M. v. District of Columbia

TOPICS

appellate jurisdiction

interlocutory appeal

mootness

family law procedure

statutory interpretation

PRACTICE AREAS

juvenile law

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QUESTIONS PRESENTED

1. Whether an order continuing a juvenile's detention and changing the location of detention is subject to emergency interlocutory review under D.C. Code § 16-2328.
2. Whether a juvenile may challenge the location of detention, in addition to the underlying detention decision, in an emergency appeal under D.C. Code § 16-2328.
3. Whether a trial court must find that placement in the particular detention location is required to protect safety or secure the child's appearance under D.C. Code § 16-2310(a).
4. Whether the court should address broader legal issues after the appeal became moot.

HOLDINGS

1. An order that continues previously ordered detention and specifies a new detention location is a detention order within the meaning of D.C. Code § 16-2328 and is subject to emergency interlocutory review.
2. On an emergency appeal from an order initially detaining a child or moving the child from one detention location to another, the child may challenge both the detention decision and the location of detention.
3. When deciding where to detain a child, the trial court need not find that placement in the particular location, as opposed to another detention location, is itself required to protect safety or secure the child's appearance.
4. Although the appeal became moot as to the challenged detention order, the court had discretion to explain broader legal conclusions concerning recurring and significant detention issues.

KEY QUOTATIONS

"We hold that such orders are detention orders within the meaning of Section 16-2328 and that a child may seek emergency review of such orders." (9)

"We further hold that on an emergency appeal challenging an order either initially detaining a child or moving a child from one place of detention to another, a child may challenge not only the determination to detain or continue the detention of the child but also the location of detention." (10)

"The separate choice as to a particular place of detention need not turn on such a finding as to the place of detention." (13)

FACTUAL BACKGROUND

S.M. was alleged to have committed delinquent acts of theft and shoplifting. After initially being released, she repeatedly absconded and was returned to custody. On May 30, 2025, after reports of insubordination and leaving the Youth Shelter House during the night, the Superior Court ordered her detention location changed to the more restrictive Youth Services Center.

PROCEDURAL HISTORY

S.M. was detained pending resolution of delinquency allegations and was subsequently moved among detention locations after repeated absconding. The Superior Court ordered on May 30, 2025, that she be moved from the Youth Shelter House to the Youth Services Center. The District of Columbia Court of Appeals affirmed by emergency judgment order, then granted rehearing in part after S.M. was released and the District argued that the appeal was moot. The court retained the appeal to address recurring issues concerning emergency appellate jurisdiction and the statutory standards governing detention placement, while vacating case-specific determinations from the prior order.

DISPOSITION

vacated

CASES CITED

- Tyler v. United States, 705 A.2d 270, 273 (D.C. 1997) (en banc)
- United States v. Edwards, 430 A.2d 1321, 1324 n.2 (D.C. 1981) (en banc)
- In re G.W., 337 A.3d 79, 80-81 (D.C. 2025)
- Pope v. United States, 739 A.2d 819, 823-24 & n.12 (D.C. 1999)
- Hosp. Temps Corp. v. District of Columbia, 926 A.2d 131, 136 (D.C. 2007)
- In re K.H., 647 A.2d 61, 62-63 (D.C. 1994)
- Wright v. Thomas D. Walsh, Inc., 856 A.2d 1108, 1111 (D.C. 2004)
- In re K.G., 178 A.3d 1213, 1217 (D.C. 2018)

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