

**IN THE COURT OF APPEALS OF IOWA**

No. 6-787 / 06-0303  
Filed November 16, 2006

**IN RE THE MARRIAGE OF TODD M. TAYLOR  
AND MICHELLE L. TAYLOR**

**Upon the Petition of  
TODD M. TAYLOR,**  
Petitioner-Appellant,

**And Concerning  
MICHELLE L. TAYLOR,**  
Respondent-Appellee.

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Appeal from the Iowa District Court for Scott County, Bobbi M. Alpers,  
Judge.

Todd Taylor appeals the entry of a temporary protective order. **APPEAL  
DISMISSED.**

Cynthia Z. Taylor of Zamora, Taylor, Alexander, Woods & Frederick,  
Davenport, for appellant.

Sharon Sinnard, Bettendorf, for appellee.

Michelle Taylor, Davenport, pro se.

Considered by Sackett, C.J., and Vaitheswaran, J., and Brown, S.J.\*

\*Senior judge assigned by order pursuant to Iowa Code section 602.9206 (2005).

**VAITHESWARAN, J.**

This appeal requires us to consider the doctrine of mootness. *Lewis Inv., Inc. v. City of Iowa City*, 703 N.W.2d 180, 183 (Iowa 2005) (quoting *State v. Hernandez-Lopez*, 639 N.W.2d 226, 234 (Iowa 2002)) (“Ordinarily, an appeal is deemed moot if the issue becomes nonexistent or academic and, consequently no longer involves a justiciable controversy.”). Although the appellee has not raised this doctrine, we may consider the issue on our own motion. *In re Troester’s Estate*, 331 N.W.2d 123, 127 (Iowa 1983). In doing so, we may resort to matters outside the record. *Iowa Mut. Ins. Co. v. McCarthy*, 572 N.W.2d 537, 540 n.1 (Iowa 1997).

Todd Taylor filed a dissolution petition. Michelle Taylor countered with a petition for relief from domestic abuse. The district court entered a temporary protective order, which was to remain in effect “until modified, terminated or superseded by a later written order, until the case is dismissed, or until a decree is issued in this dissolution.” Todd appealed that order.

After the notice of appeal was filed, Michelle sought and obtained a dismissal of the temporary protection order. Recently, the district court also filed a dissolution decree. Both events render Todd’s appeal moot.

**APPEAL DISMISSED.**