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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

In re E.R., a Person Coming
Under the Juvenile Court Law.

B280277

(Los Angeles County
Super. Ct. No. CK86908)

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN
AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

U.R.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of
Los Angeles County, Emma Castro, Temporary Judge. (Pursuant
to Cal. Const., art. VI, §21.) Dismissed.

Marissa Coffey, under appointment by the Court of Appeal,
for Defendant and Appellant.

Mary C. Wickham, County Counsel, R. Keith Davis,
Assistant County Counsel, and Kimberly Roura, Senior Deputy
County Counsel, for Plaintiff and Respondent.

U.R. (father) appeals from the court's order denying his request to return his son, E.R., to his custody and terminating his reunification services pursuant to Welfare and Institutions Code¹ sections 366.21 and 366.22. We dismiss father's appeal because it has been rendered moot by further rulings in the dependency court while the appeal was pending.

In April 2015, the juvenile court sustained an amended petition filed by the Los Angeles County Department of Children and Family Services (DCFS), finding dependency jurisdiction over E.R. pursuant to section 300, subdivision (b). The court removed E.R. from father's custody. Following contested proceedings pursuant to sections 366.21, subdivisions (e) and (f), and 366.22, the court issued an order on January 11, 2017 releasing E.R. to his mother's custody, but denying father's request for custody and terminating father's reunification services. Father appealed.

While this appeal was pending, the juvenile court held a review hearing on August 18, 2017. At that hearing, the court released E.R. to the custody of both father and mother and terminated dependency jurisdiction with a juvenile custody order awarding joint physical and legal custody to both parents. Father requests we take judicial notice of the juvenile court's August 18, 2017 order; we grant that request. Father further

¹All further statutory references are to the Welfare and Institutions Code unless otherwise stated.

concedes that the August 18, 2017 order renders the instant appeal moot. We agree. (See *In re C.C.* (2009) 172 Cal.App.4th 1481, 1488.) We also note father does not contend that we should nevertheless address the merits of his appeal based on the potential for future prejudice. (See, e.g., *In re Drake M.* (2012) 211 Cal.App.4th 754, 762-763.) We therefore dismiss the appeal.

DISPOSITION

Father's appeal is dismissed.

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COLLINS, J.

We concur:

WILLHITE, Acting P. J.

MANELLA, J.