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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

In re JULIETTE N., a Person
Coming Under the Juvenile Court
Law.

B277456

Los Angeles County
Super. Ct. No. DK17994)

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN
AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

JOAQUIN J.,

Defendant and Appellant.

APPEAL from a judgment of the Superior Court of Los Angeles County,
Veronica S. McBeth, Judge. Dismissed.

Konrad S. Lee, under appointment by the Court of Appeal, for
Defendant and Appellant.

Mary C. Wickham, County Counsel, R. Keith Davis, Assistant County
Counsel, and David Michael Miller, Deputy County Counsel for Plaintiff and
Respondent.

Joaquin J. seeks to appeal three jurisdictional findings of the juvenile court concerning his daughter, Juliette N. We dismiss the appeal.

FACTUAL AND PROCEDURAL BACKGROUND

The Department of Children and Family Services (DCFS) filed a dependency petition alleging that one-month-old Juliette N. came within the jurisdiction of the juvenile court under Welfare and Institutions Code¹ section 300, subdivisions (a) and (b). Joaquin J. was alleged to have a history of escalating, aggressive, and threatening behavior toward Juliette N.'s mother, Melissa N., including incidents in which Joaquin J. stalked, videotaped, and threatened her; and also to have threatened to kill Melissa N., Juliette N., and Melissa N.'s family. This conduct was the subject of the section 300, subdivision (a) allegation and one subdivision (b) allegation.

Additionally, DCFS alleged two further counts under section 300, subdivision (b): first, that Joaquin J.'s mental and emotional problems, including homicidal ideation and bizarre and erratic behaviors, rendered him incapable of providing regular care for Juliette N.; and second, that Joaquin J.'s substance abuse caused him to be incapable of providing regular care for her.

The juvenile court sustained all four allegations of the dependency petition. Joaquin J. appeals.

DISCUSSION

On appeal, Joaquin J. contends that: (1) there is no substantial evidence to support the juvenile court's finding that Juliette N. suffered, or was at substantial risk of suffering, serious physical harm or injury, as required for jurisdiction under section 300, subdivision (a); and (2) there is no substantial evidence to support the juvenile court's findings under section 300, subdivision (b) regarding his mental health and substance abuse problems.

Joaquin J. concedes that his appeal does not challenge the finding that Juliette N. is subject to juvenile court jurisdiction under section 300,

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

subdivision (b) as a result of the sustained allegation that he had engaged in escalating, aggressive, and threatening behavior toward Melissa N. In response to DCFS's argument in its respondent's brief, he acknowledges that Juliette N. will remain a dependent of the juvenile court regardless of the outcome of this appeal and that the law permits a reviewing court to decline to address allegations of insufficient evidence to support a jurisdictional finding when jurisdiction will continue regardless of that analysis because other findings afford a basis for jurisdiction. (*In re I.A.* (2011) 201 Cal.App.4th 1484, 1492.)

Joaquin J. argues, however, that the court should exercise its discretion to reach the merits of his challenge to these individual jurisdictional findings, notwithstanding the fact that the juvenile court would nonetheless maintain dependency jurisdiction over Juliette N., because the allegedly erroneous findings could be prejudicial to him in the future. (See, e.g., *In re Drake M.* (2012) 211 Cal.App.4th 754, 762-763.) First, he argues, these findings "could reasonably have consequences" for him, such as a reunification plan requiring him to "attend a drug program or mental illness assessment or anger management, which are unnecessary" Regardless of the existence of the challenged findings, however, Joaquin J. could be ordered to participate in drug treatment, mental illness assessment and treatment, or anger management programs based on the evidence that was submitted to the juvenile court, because the court is not limited to the content of the sustained petition when it fashions dispositional orders. (*In re Christopher H.* (1996) 50 Cal.App.4th 1001, 1008; *In re Rodger H.* (1991) 228 Cal.App.3d 1174, 1183.) We note that Joaquin J. was ordered at disposition to undergo a "full drug and alcohol program with random on[-]demand testing and a 12-step program with court card and sponsor. A 52-week certified domestic violence program, mental health counseling, which will include a psychological assessment, psychiatric evaluation, take any and all prescribed psychotropic medication. [¶] Father will be in individual counseling to address case issues and he's to abide by the restraining order, which will only allow contact with the child and not Mother, and only at the DCFS office." Joaquin J. could have challenged these orders on appeal but did not do so, indicating that he was not prejudiced by the services ordered as a result of

the allegedly erroneous findings. Also, Joaquin J. has not appealed the termination of his reunification services on January 11, 2017,² so no possibility now exists of these findings impacting the reunification plan.

Second, Joaquin J. asserts that the challenged jurisdictional findings could have consequences for him with respect to “future possible placement considerations.” General allegations that the findings could impact future court orders are insufficient; the parent must identify specific legal or practical consequences arising from the dependency findings. (*In re I.A.*, *supra*, 201 Cal.App.4th at p. 1493.) Because Joaquin J. has not established any actual or threatened prejudice from the jurisdictional findings he seeks to challenge, we decline to exercise our jurisdiction to review them. (*Id.* at pp. 1491-1495.)

DISPOSITION

The appeal is dismissed.

ZELON, J.

We concur:

PERLUSS, P. J.

SEGAL, J.

² We take judicial notice of the juvenile court’s orders subsequent to disposition pursuant to Evidence Code section 452.