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IN THE COURT OF APPEAL OF THE STATE OF
CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

In re T.A., a Person Coming Under
the Juvenile Court Law.

B280297
(Los Angeles County
Super. Ct. No. DK18900)

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN
AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

MICHELLE T.,

Objector and Appellant.

Appeal from findings and order of the Superior Court
of Los Angeles County, Philip L. Soto, Judge. Dismissed.

Maureen L. Keaney, under appointment by the Court of Appeal, for Objector and Appellant.

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

Michelle T. (mother) appeals from the jurisdictional findings and dispositional order declaring her child, T.A., a dependent of the court under Welfare and Institutions Code section 300, subdivision (b).¹ Mother contends the jurisdictional findings were erroneous because there was insufficient evidence her drug use placed the child at risk of suffering serious harm. In the same vein, she argues the dispositional order must be reversed because it was based on the juvenile court's improper jurisdictional findings.

On March 30, 2017 (after mother's opening brief on appeal was filed), the juvenile court entered orders terminating jurisdiction and granting mother legal and physical custody of T.A. On April 17, 2017, the Department of Children and Family Services filed two motions: for judicial notice of the juvenile court's March orders; and to dismiss the appeal on the ground that the order terminating jurisdiction rendered the appeal moot. Mother filed an opposition to the motion to dismiss on May 5, 2017, but conceded that judicial notice was appropriate. We accept the

¹ Further statutory references are to the Welfare and Institutions Code.

concession and take judicial notice of the above-mentioned orders. (Evid. Code, §§ 452, subd. (d)(1), 459, subd. (a).) We conclude the appeal should be dismissed as moot.

“As a general rule, an order terminating juvenile court jurisdiction renders an appeal from a previous order in the dependency proceedings moot.” (*In re C.C.* (2009) 172 Cal.App.4th 1481, 1488 (C.C.)) “[N]o direct relief can be granted even were we to find reversible error, [if] the juvenile court no longer has jurisdiction and we are only reviewing that court’s ruling.” (*In re Michelle M.* (1992) 8 Cal.App.4th 326, 330 (*Michelle M.*)) “However, dismissal for mootness in such circumstances is not automatic, but ‘must be decided on a case-by-case basis.’ [Citations.]” (C.C., *supra*, at p. 1488.)

The termination of juvenile court jurisdiction rendered mother’s appellate issues moot. We can give no effective relief to mother because there is no ongoing proceeding in the dependency court. (*Michelle M.*, *supra*, 8 Cal.App.4th at p. 329.) Moreover, there are no extraordinary circumstances that compel us to resolve mother’s claims. The question of whether there was sufficient evidence to support the dependency court’s finding pursuant to section 300, subdivision (b), is not of public importance or capable of repetition yet evading review. (*In re Yvonne W.* (2008) 165 Cal.App.4th 1394, 1404 [court has discretion to review only if issue is “of continuing public importance and is a question capable of repetition, yet evading review”].)

Mother's opposition to the motion to dismiss makes only the following one paragraph argument: "Now, the court has granted sole legal and physical custody of the child to appellant and terminated jurisdiction. What looms is the sustained petition and that needs to be addressed by the court in order for appellant to have to allegations reversed/dismissed." Presumably mother is concerned of future use of the sustained petition in other proceedings, but that scenario is too speculative to avoid the mootness doctrine. (See *Michelle M.*, *supra*, 8 Cal.App.4th at p. 329.)

DISPOSITION

The appeal is dismissed.

KRIEGLER, Acting P.J.

We concur:

BAKER, J.

DUNNING, J.*

* Judge of the Orange Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.