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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

In re I.R. et al., Persons Coming Under the
Juvenile Court Law.

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN AND
FAMILY SERVICES,

Plaintiff and Respondent,

v.

C.R.,

Defendant and Appellant.

B240560

(Los Angeles County
Super. Ct. No. CK74599)

APPEAL from an order of the Superior Court of Los Angeles County. Jacqueline Lewis, Commissioner. Dismissed.

Lauren K. Johnson, under appointment by the Court of Appeal, for Appellant.

No appearance by Respondent.

Mother C appeals from the court's order terminating her parental rights in her son, I.R. We dismiss the appeal.

FACTS AND PROCEEDINGS

Appellant mother C gave birth to J (who is not part of this appeal) in December 2002. In September 2008, respondent Department of Children and Family Services filed a petition under Welfare and Institutions Code section 300 alleging mother had a history of substance abuse and had used inappropriate physical discipline against J. Mother pleaded no contest to the petition's allegations, and the dependency court sustained the petition. The court ordered reunification services for mother, including monitored visitation, drug treatment, parenting classes, and counseling.

In August 2009, mother was arrested for armed robbery and sentenced to two years in state prison. At the November 2009 review hearing which mother attended under a prison removal order, the court found mother had not before her imprisonment complied with her case plan. The court therefore terminated reunification services.

While in prison, mother gave birth in May 2010 to I.R., who is the subject of this appeal. Respondent filed a petition under Welfare and Institutions Code section 300 alleging mother had failed to provide for I.R.'s care, and I.R. was placed with a foster family. Mother signed a waiver giving up her right to appear at the hearing adjudicating the petition involving I.R. In July 2010, the court sustained the petition. The court did not order reunification services for mother. Instead, the court ordered respondent to prepare an adoptive home study.

In October 2010, mother filed a petition under Welfare and Institutions Code section 388 requesting reunification services with I.R. based upon her participation in prison programs aimed toward correcting her parental shortcomings. The court granted the petition and ordered respondent to provide reunification services to mother.

In May 2011, mother was released from prison. Mother entered a residential drug treatment program and began monitored visitation with both her children. But in July 2011, less than two months into her 6- to 15- month treatment regimen, mother moved

out of the residential facility without authorization. Consequently, mother was arrested and re-incarcerated. The court thereafter terminated reunification services and set a hearing for termination of parental rights.

Mother attended the March 29, 2012, hearing on termination of her parental rights. Objecting to termination of mother's parental rights, mother's counsel referred to, but did not elaborate upon, the statutory exception for termination of parental rights when termination would substantially interfere with a child's important sibling relationships. (Welf. & Saf. Code, § 366.26, subd. (c)(1)(B)(v).) Counsel's reference appeared to rest upon mother's seven visits with both children following her release from state prison in May 2011 until her arrest for fleeing the residential drug treatment program in July 2011. Finding the exception did not apply, the court stated, I.R. "is not quite two years old. There is no evidence that . . . his relationship with his sister . . . is such that would overcome the benefit to [I.R.] of having a safe, stable, and permanent home." The court therefore terminated mother's parental rights.

Mother filed a notice of appeal. We appointed appellate counsel. Counsel filed a brief in accord with *In re Phoenix H.* (2009) 47 Cal.4th 835, stating she found no arguable issues for appeal. Mother thereafter filed a letter brief. With the contents of mother's letter brief in mind, we have reviewed the record on appeal, paying particular attention to her contentions that she was denied due process in not receiving notice of hearings, and termination of her parental rights was error because the sibling-relationship exception applied. We find no arguable issues.

DISPOSITION

The appeal is dismissed. (*In re Phoenix H.*, *supra*, 47 Cal.4th at p. 846; *In re Jose C.* (2010) 188 Cal.App.4th 147, 157.)

RUBIN, J.

WE CONCUR:

BIGELOW, P. J.

FLIER, J.