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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

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

SAN FRANCISCO HUMAN SERVICES
AGENCY,

Plaintiff and Respondent,

v.

MARIO M.,

Defendant and Appellant.

A134918

(San Francisco City & County
Super. Ct. No. JD10-3010)

By the Court* :

Father Mario M. (father) appeals March 16, 2012, orders of the San Francisco Juvenile Court authorizing adoption for his daughter M.M. and terminating his parental rights.

On June 20, 2012, father’s appointed appellate counsel filed a “no issues” statement (see *In re Sade C.* (1996) 13 Cal.4th 952 (*Sadie C.*)), stating he had thoroughly reviewed the entire record, but found no arguable issues to raise on appeal. Counsel delivered this bad news to father, but invited father to file a supplemental letter with this court if father wished to raise trial court errors counsel had neglected. On June 20, 2012, we too notified father of counsel’s decision to file a “no issues” statement. And, as has been the custom in this district (but not all others) we offered father “the opportunity to

* Before Margulies, Acting P. J., Dondero, J. and Banke, J.

file,” within 30 days, “a letter stating issues you feel should be reviewed on appeal.” (See *In re Phoenix H.* (2009) 47 Cal.4th 835, 839, 844 [noting split amongst districts and holding no Court of Appeal must afford parents this opportunity because of the desire for prompt resolution of juvenile dependency cases and the “negligible” chance for injustice once appointed counsel has found no issues to raise]; *In re R.H.* (2009) 170 Cal.App.4th 678, 684 [fifth district invites letters].)

On July 19, 2012, father filed a supplemental letter. He complained about the length of time it took to administer a paternity test; the unavailability of CPS staff, and the inadequacy of CPS facilities, for supervised visits; the general unresponsiveness of CPS; and the juvenile court’s denial of his request for additional time with M.M. Father also contends sterling letters of recommendation on his behalf from a residential drug treatment program “were blocked by CPS lawyers when attempted to be given to the court.” Finally, father contends his “attorney failed to submit to the courts my housing and childcare plan within the time allowed, this was also used against my case.”

As noted in *Sadie C.*, to “challenge a judgment the appellant ‘must raise claims of reversible error or other defect [citation] and “present argument and authority on each point made” [citations].’ (*In re Sadie C., supra*, 13 Cal.4th at p. 994) Counsel cannot create a basis for challenging the judgment where none exists, and neither can the parent.” (*In re Phoenix, supra*, 47 Cal.4th 835, 845.) Neither father’s counsel, nor father himself, have presented adequate argument or authority in support of reversal. Counsel has, of course, raised none. Father’s letter appears to raise two evidentiary issues with the juvenile court proceeding—a failure to consider letters of recommendation and counsel’s failure to offer evidence of a housing and childcare plan—but father never gives life to these assertions, providing no supporting record citations or legal argument to demonstrate how these evidentiary issues rise to the level of reversible error.

Although we have discretion under *Sadie C., supra*, 13 Cal.4th 952, to conduct an independent review of the record in a case such as this to determine whether there are any arguable issues for briefing, we decline to do so. Accordingly, we dismiss the appeal. (See *id.* at p. 994.)