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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

Adoption of J.S. et al., Minors.

JOHN C. et al.,

Plaintiffs and Respondents,

v.

MATTHEW F. et al.,

Defendants and Appellants.

2d Juv. No. B238794
(Super. Ct. Nos. 1376785; 1376786;
1376787)
(Santa Barbara County)

Matthew F. and J. F. appeal from the order entered December 22, 2011, terminating their parental rights to J.S., S.F., and C.F. pursuant to Family Code sections 7803, 7822, and 7825.¹ We appointed counsel to represent them on appeal.

Counsel filed briefs in which they informed us that they had found no arguable issues. On June 28, 2012, we notified appellants that they had 30 days within which to submit any contentions that they wished us to consider, and that the appeal would be dismissed in the absence of any arguable issues. (*In re Phoenix H.* (2009) 47 Cal.4th 835; *In re Sade C.* (1996) 13 Cal.4th 952.)

Appellants filed supplemental briefs in which they maintain their innocence of the crimes for which they are serving life sentences without the possibility of parole

¹ All statutory references are to the Family Code.

and in which they point out that they made substantial efforts to maintain contact with their children while in prison.

Our review of the record discloses substantial evidence supporting the juvenile court's finding. Appellants' crimes are of such a nature so as to prove their unfitness to have future custody and control of the children, notwithstanding the absence of any prior criminal history and their substantial efforts while in prison to maintain contact with the children. (§ 7825.) Appellants' crimes involved "egregious underlying facts that have a direct bearing on parental fitness." (*In re Baby Girl M.* (2006) 135 Cal.App.4th 1528, 1538.) It is therefore immaterial whether the alternative ground of intent to abandon was established. (§ 7822.) The court properly exercised its discretion in terminating appellants' parental rights.

The order is affirmed.

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GILBERT, P.J.

We concur:

YEGAN, J.

PERREN, J.

Timothy J. Staffel, Judge

Superior Court County of Santa Barbara

Christopher Blake, under appointment by the Court of Appeal, for
Defendant and Appellant Matthew F.

Andre F.F. Toscano, under appointment by the Court of Appeal, for
Defendant and Appellant J.F.

No appearance for Respondents.