

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

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

B239929

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN AND
FAMILY SERVICES,

(Los Angeles County
Super. Ct. No. CK04888)

Respondent,

v.

JOSEPHINE D.,

Appellant.

APPEAL from orders of the Superior Court of Los Angeles County. Anthony Trendacosta, Commissioner. Affirmed.

Jesse F. Rodriguez, under appointment by the Court of Appeal, for Appellant.

No appearance for Respondent.

On February 27, 2012, appellant Josephine D. (Mother) filed her notice of appeal, in pro. per., purporting to appeal from orders of the juvenile court dated January 6, January 30, February 17, and February 24, 2012, and from “the written statement of reports from DCFS case worker.” Her notice of appeal included her statement that “I don’t want an attorney.”

For the reasons set forth below, we dismiss Mother’s purported appeals from the orders and documents other than the order of February 24, 2012. We affirm the juvenile court’s order of February 24, 2012, terminating its jurisdiction as to Mother’s daughter, Joyce R.

BACKGROUND

Previous appeal from jurisdiction/disposition orders

In earlier proceedings in this matter, at a jurisdiction/disposition hearing on August 22, 2011, the juvenile court sustained portions of the allegations of a petition of the Department of Children and Family Services (DCFS), finding Mother’s 17-year-old daughter, Joyce, to be a person described by section 300, subdivisions (a), (b), and (g), of the Welfare and Institutions Code.¹ The court refused Mother’s request to represent herself in the juvenile court, found by clear and convincing evidence that Joyce could not be safely returned to Mother’s custody, ordered Joyce to remain in the care of the DCFS for suitable placement, and ordered her supervised visitation with mother. (§ 361, subd. (c).)

On February 24, 2012—while Mother’s appeal from these orders was pending in this court—the juvenile court terminated dependency jurisdiction over Joyce, because she had reached the age of 18 on September 24, 2011 and was no longer a minor. Although we took notice of the February 24, 2012 order, we declined the respondent’s request that we dismiss Mother’s appeal from the jurisdiction/disposition orders as moot.

¹ All statutory references are the Welfare and Institutions Code.

We affirmed the August 22, 2011 orders in an opinion filed September 19, 2012, in case No. B232850.

Mother's present appeal

On February 27, 2012, Mother filed her notice of appeal from the order of February 24, 2012 and the other orders listed in her notice of appeal. On May 11, 2012, this court denied Mother's request to proceed in pro. per. We granted appointed counsel's request that we take judicial notice of the appellate record in Mother's previous appeal, case No. B235850.

On July 3, 2012 Mother's appointed counsel submitted an opening brief under *In re Phoenix H.* (2009) 47 Cal.4th 835, based on his allegation of inability to find any arguable issues. He alleged that he had advised Mother of his evaluation and her right to request this court's permission to file a brief on her own behalf showing good cause that an arguable issue exists in this appeal.

On October 31, 2012, Mother submitted a handwritten memorandum of points and authorities and a request for relief from default, asking that "appellants be permitted to file the supplemental Phoenix H. brief." Accompanying Mother's request was a 77-page "Appellant's Opening Brief" (largely typewritten, with handwritten annotations), consisting primarily of highly repetitive (and confusing) narratives and criticisms concerning her long history of contacts with DCFS, culminating in the order of February 24, 2012 terminating juvenile court jurisdiction over Joyce. Notably, however, the handwritten conclusion to Mother's purported brief does not address the order of February 24, 2012 or any of the other orders from which she purports to appeal. It requests only that we "reverse the Jurisdictional Order ordering the minor Joyce R. a dependent of the juvenile court and vacate the dispositional order as to Joyce as moot"—the orders that were the subject of her previous appeal and our decision of September 19, 2012 in case No. B235850. A two-page handwritten "Argument" attached following the brief's "Conclusion" addresses the merits of this court's September 19, 2012 decision in case No. B235850, with no mention of the subsequent orders from which her present

appeal purports to be taken. On November 5, 2012, we accepted Mother's "Appellant's Opening Brief" for filing.

DISCUSSION

1. Purported Appeals From Nonappealable Orders

The juvenile court's orders of January 6, January 30, and February 17, 2012, and "the written statement of reports from DCFS case worker," referenced in Mother's notice of appeal, are not appealable orders. (Cal. Rules of Court, rule 8.403; see § 366.26 & Cal. Rules of Court, rule 8.452.) The minute order of January 6, 2012, recites that the matter had been placed on calendar in error, and the previous orders declaring Joyce a dependent child and for her suitable placement. The January 30, 2012 order likewise recites the previous orders, and continues the matter for hearing on February 24, 2012. There is no record of a hearing or order dated February 17, 2012.

Mother's brief makes reference to a number of hearings or other events on the listed dates. However, the only circumstances that she apparently targets for appeal are her February 17, 2012 receipt of a status report and hearing notice on February 17, 2012, and the lack of notice to her of "continuance hearings" on January 6 and January 30, 2012. (The record reflects that Mother was represented by counsel at the January 6 and January 30, 2012 hearings, and that she was served with the January 30, 2012 order continuing the hearing previously set for February 17, 2012 to February 24, 2012.) Because these listed orders are not appealable, we dismiss Mother's purported appeal from them. For the same reason, we also dismiss Mother's purported appeal from the otherwise-unidentified "written statement of reports from DCFS case worker."

2. Appeal from order of February 24, 2012 terminating juvenile court jurisdiction.

On the merits of Mother's appeal from the order of February 24, 2012, terminating juvenile court jurisdiction as to Joyce, we conclude that the order is fully supported.

Mother's pro. per. opening brief makes a number of references to the February 24, 2012 hearing. However we are unable to discern any claim of error with respect to the order terminating juvenile court jurisdiction because Joyce was no longer a minor, nor any claim that Mother was prejudiced by that order.

The record reflects notice to Mother of the February 17, 2012 DCFS status review report, which recommended termination of jurisdiction at the February 24, 2012 hearing. The status report recites (among other things) Mother's refusal to participate in court-ordered psychiatric evaluations or take medications, and that "she did not feel that she needed parenting [classes] since Joyce is now 18."

According to the status report, as of early February 2012, "Joyce now wants to return home to her mother . . . and no longer wants DCFS intervention." On February 10, 2010, Joyce submitted a signed request for termination of juvenile court jurisdiction. And at the hearing she confirmed her desire to return to her mother's care. And according to the status report, Mother, too, sought that same result: "Mother wants Joyce to return to her home."²

Although Mother's brief states that she "is aggrieved about the decision from the lower court," she identifies no error in the court's order terminating its jurisdiction as to Joyce, who is no longer a dependent minor; and she identifies no manner in which she is aggrieved by that order. In light of these deficiencies in Mother's appeal, we have no alternative but to affirm the order of February 24, 2012 terminating the juvenile court's jurisdiction as to Joyce.

² Mother was not present at the February 24, 2012 hearing, but she was represented at the hearing by appointed counsel, whom she had not instructed as to her position on the termination of jurisdiction. According to the narrative in Mother's brief, she had left a phone message for her appointed attorney sometime before the hearing, telling him that "I will be the one to represent myself on February 24, 2012 hearing," and "I will be there present at the hearing . . ." but she had not arrived before the hearing had concluded. Her appointed attorney's failure to tell the court of the message, her brief says, reflects "a connivance and conspiracy that the court, and the partys involved [D,C,F,S, department, attorneys and police officers and detectives and etc. . .]." (*Sic.*)

DISPOSITION

Mother's appeal from the orders of the juvenile court dated January 6, January 30, and February 17, and her purported appeal from "the written statement of reports from DCFS case worker," are dismissed. The order dated February 24, 2012, terminating jurisdiction as to Joyce R. is affirmed.

NOT TO BE PUBLISHED.

CHANEY, J.

We concur:

MALLANO, P. J.

JOHNSON, J.