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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re NICOLETTE W. et al., Persons
Coming Under the Juvenile Court Law.

SAN DIEGO COUNTY HEALTH AND
HUMAN SERVICES AGENCY,

Plaintiff and Respondent,

v.

MARK W.,

Defendant and Appellant.

D062917

(Super. Ct. No. SJ11000A-B)

APPEAL from an order of the Superior Court of San Diego County, Gary M.

Bubis, Judge. Dismissed.

Mark W. appeals findings and orders entered at a permanency plan and selection hearing held pursuant to Welfare and Institutions Code section 366.26. Citing *In re Sade C.* (1996) 13 Cal.4th 952, he asks this court to exercise its discretion to review the record for error.

In *In re Sade C.*, the California Supreme Court held that review pursuant to *People v. Wende* (1979) 25 Cal.3d 436 is unavailable in "an indigent parent's appeal from a judgment or order, obtained by the state, adversely affecting his custody of a child or his status as the child's parent." (*In re Sade C., supra*, 13 Cal.4th at p. 959.) We therefore deny Mark's requests to review the record for error and to address the *Anders* issues. (*Anders v. California* (1967) 386 U.S. 738.)

Citing *In re Phoenix H.* (2009) 47 Cal.4th 835, counsel asks this court to exercise its discretion to provide Mark with the opportunity to file a supplemental brief in propria persona. Counsel also asks this court to order counsel to brief any arguable issue. (*Penson v. Ohio* (1988) 488 U.S. 75, 88.) The requests are denied.

DISPOSITION

The appeal is dismissed.

O'ROURKE, J.

WE CONCUR:

HUFFMAN, Acting P.J.

HALLER, J.