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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

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

SAN DIEGO COUNTY HEALTH AND
HUMAN SERVICES AGENCY,

Plaintiff and Respondent,

v.

VIRGINIA P.,

Defendant and Appellant.

D064707

(Super. Ct. No. J513950C)

APPEAL from an order of the Superior Court of San Diego County, Jean P. Leonard, Judge. (Retired Judge of the Riverside Sup. Ct. assigned by the Chief Justice pursuant to art. VI, § 6 of the Cal. Const.) Affirmed.

Daniel G. Rooney, under appointment by the Court of Appeal, for Defendant and Appellant.

Thomas E. Montgomery, County Counsel, John E. Philips, Chief Deputy County Counsel, and Patrice Plattner-Grainger, Senior Deputy County Counsel, for Plaintiff and Respondent.

Virginia P. appeals the juvenile court's denial of her petition under Welfare and Institutions Code section 388 to modify a prior order that removed custody of her daughter under Welfare and Institutions Code section 361, subdivision (c)(1). In support of her petition, Virginia cited as changed circumstances that she "has continued to participate in services comprising [*sic*] of therapy and substance abuse treatment" The trial court denied Virginia's petition, finding that she failed to make a prima facie showing, that she failed to show changed circumstances, and that granting the modification would not be in the minor's best interests.

On appeal, Virginia does not assign any specific error to the court's order denying her petition. Instead, she merely "joins in and adopts by reference the arguments presented in her opening brief in Appeal No. D064265." Virginia's appeal in case No. D064265 challenged the trial court's determination that her daughter was not an Indian child under the Indian Child Welfare Act (ICWA) (25 U.S.C. § 1921 et seq.).¹ The arguments advanced in Virginia's opening brief in case No. D064265 have nothing to

¹ We affirmed that determination in an unpublished decision filed December 23, 2013.

do with the order that she challenges in the instant appeal.² We therefore conclude that Virginia has abandoned her appeal of the order denying her petition under section 388. (*Landry v. Berryessa Union School Dist.* (1995) 39 Cal.App.4th 691, 699-700 ["When an issue is unsupported by pertinent or cognizable legal argument it may be deemed abandoned and discussion by the reviewing court is unnecessary."].)

DISPOSITION

The order is affirmed.

AARON, J.

WE CONCUR:

McDONALD, Acting P. J.

IRION, J.

² If Virginia intended for us to construe her current argument to be that a prior error on the ICWA determination rendered void the subsequent denial of her petition to modify, our disposition of her previous appeal disposes of that contention.