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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

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

TULARE COUNTY HEALTH AND
HUMAN SERVICES AGENCY,

Plaintiff and Respondent,

v.

ANGELINA B.,

Defendant and Appellant.

F063707

(Super. Ct. No. 65151)

OPINION

THE COURT*

APPEAL from an order of the Superior Court of Tulare County. Charlotte A. Wittig, Commissioner.

Beth Melvin, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Respondent.

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* Before Wiseman, Acting P.J., Poochigian, J., and Franson, J.

Angelina B. (mother) appealed from a 2011 order terminating parental rights (Welf. & Inst. Code, § 366.26) to her two-year-old daughter, S.¹ After reviewing the entire record, mother's court-appointed appellate counsel informed this court she could find no arguable issues to raise on mother's behalf. Counsel requested, and this court granted, leave for her to personally file a letter setting forth a good cause showing that an arguable issue of reversible error did exist. (*In re Phoenix H.* (2009) 47 Cal.4th 835, 844.)

Mother has since submitted a letter in which she repeats an argument she previously made in a petition for extraordinary writ and asks for the opportunity to have S. returned to her custody. On review, we conclude mother fails to make a good cause showing that an arguable issue of reversible error does exist. (*In re Phoenix H., supra*, 47 Cal.4th at p. 844.)

PROCEDURAL AND FACTUAL HISTORY

In December 2010, one-year-old S. sustained non-accidental, life-threatening brain trauma in less than a 12-hour interval in which she was in the custody of either her father and his wife or her mother. Following a contested jurisdictional hearing, the juvenile court concluded that one of the three adults injured S. However, the court could not determine which one. There was, however, expert medical opinion evidence as to the timing of S.'s injuries, which placed the child in mother's care. The court adjudged S. a dependent child pursuant to section 300, subdivision (e) [severe physical abuse].

On that basis, the juvenile court also formally removed the child from parental custody and denied both parents reunification services pursuant to section 361.5, subdivision (b)(5). It found neither of the parents proved that reunification services were likely to prevent reabuse or failure to try reunification would be detrimental to S.

¹ All further statutory references are to the Welfare and Institutions Code.

Accordingly, the court set a section 366.26 hearing to select and implement a permanent plan for S.

Mother sought, in this court, an extraordinary writ (Cal. Rules of Court, rule 8.452) from the juvenile court's orders. (F062782; Angelina B. v. Superior Court.) She challenged the juvenile court's jurisdictional finding that she severely physically abused S. within the meaning of section 300, subdivision (e) as well as its decision to deny her reunification services. We affirmed the juvenile court's jurisdictional finding and its denial of services.

A social worker for respondent Tulare County Health and Human Services Agency (agency) later reported S. was likely to be adopted and recommended that the juvenile court terminate parental rights. As it is undisputed that S. is likely to be adopted, we choose not to summarize that evidence here.

In advance of the section 366.26 hearing, mother petitioned (§ 388) the court to either return S. to her custody or grant her reunification services. The juvenile court summarily denied mother's petition, having found mother failed to state new evidence or a change of circumstances, a required element for granting a section 388 petition.

At the section 366.26 hearing, mother objected to the agency's recommendation based on her contact and visitation with S. According to mother's testimony, S. was affectionate with her at the start of each visit and cried when their visits came to an end. By contrast, the agency reported S. did not exhibit any sadness when the visits came to an end.

The juvenile court was not persuaded. Finding it was likely S. would be adopted, the court terminated parental rights.

DISCUSSION

Mother believes there is "plenty of evidence" that it was the father and his wife who harmed S. Mother also claims she is willing to attend any class or counseling to

prove she can protect S. Further, mother insists the agency was not honest in describing how her visits with S. ended.

Mother's letter otherwise neither addresses the termination proceedings nor sets forth a good cause showing that any arguable issue of reversible error at the termination hearing does exist. (*In re Phoenix H.*, *supra*, 47 Cal.4th at p. 844.) An appealed-from judgment or order is presumed correct. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) It is up to an appellant to raise claims of reversible error or other defect and present argument and authority on each point made. If an appellant does not do so, the appeal should be dismissed. (*In re Sade C.* (1996) 13 Cal.4th 952, 994.) Here, mother does not raise any claim of error or other defect against the termination order from which she appeals.

Her first argument is essentially a restatement of one she made in her earlier writ petition and is not reviewable on this appeal. (§ 366.26, subd. (l).) Her offer to *now* attend classes or counseling, though admirable, does not suffice as a claim that the juvenile court somehow erred. Last, although mother questions the agency's credibility, she overlooks the rule that all conflicts in the evidence must be resolved in favor of the respondent. Issues of fact and credibility are matters for the trial court alone. (*In re Amy M.* (1991) 232 Cal.App.3d 849, 859-860.) We may not reweigh or express an independent judgment on the evidence. (*In re Laura F.* (1983) 33 Cal.3d 826, 833.)

DISPOSITION

This appeal is dismissed.