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

F.V.,

Petitioner,

v.

THE SUPERIOR COURT OF FRESNO
COUNTY,

Respondent;

FRESNO COUNTY DEPARTMENT OF
SOCIAL SERVICES,

Real Party in Interest.

F068350

(Super. Ct. No. 13CEJ300113)

OPINION

THE COURT*

ORIGINAL PROCEEDINGS; petition for extraordinary writ review. Mary Dolas,
Commissioner.

F.V., in pro. per., for Petitioner.

No appearance for Respondent.

Kevin Briggs, County Counsel, and Amy K. Cobb, Deputy County Counsel, for
Real Party in Interest.

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* Before Levy, Acting P.J., Kane, J. and Detjen, J.

F.V. (mother), in propria persona, seeks an extraordinary writ (Cal. Rules of Court, rule 8.452) from the juvenile court's order denying her reunification services based on her extensive, abusive and chronic use of drugs (Welf. & Inst. Code, § 361.5, subd. (b)(13)) and setting a hearing to select and implement a permanent plan for her seven-year-old son and two-year-old daughter.¹ Mother alleges the court's order was erroneous because she was sober from 2010 to May 2013. She also asks for a "second chance" to parent her children.

On review, we conclude mother's petition is inadequate because it fails to comply with the procedural requirements of California Rules of Court, rule 8.452. She fails to allege, let alone make an arguable claim, that the juvenile court committed any error. Thus, we will dismiss her petition.

PROCEDURAL AND FACTUAL HISTORY

Fresno County Department of Social Services (department) detained the children and initiated the underlying dependency proceeding following mother's April 2013 arrest for mayhem. Mother had a violent altercation in which she bit a chunk of flesh out of her neighbor's cheek.

Although mother was released from custody in early May 2013, she did not visit her children or make any effort to reunify with them. In addition, the department had no information about her whereabouts.

Before mother's release from custody, a department social worker interviewed her. The social worker asked mother about her substance abuse. Mother first stated, "I am not on nothing." When asked about her choice of drugs, mother hesitated and at first started to say marijuana and then stated methamphetamine. Mother went on to describe that she completed a substance abuse program in 2007, relapsed in 2010, and referred herself,

¹ All statutory references are to the Welfare and Institutions Code unless otherwise indicated.

while she was pregnant with her daughter, to another program. According to mother, she graduated from that program in 2011, and had not relapsed since then.

Despite mother's denial of recent drug use, the maternal grandmother reported to the social worker that mother was "drugged up all the time," and had been on methamphetamine for at least five years. Mother's seven-year-old son also reported seeing his mother smoke marijuana.

In late May 2013, the juvenile court exercised its dependency jurisdiction over the children, having found that mother had a history of substance abuse, specifically methamphetamine, as well as a history of erratic and violent behaviors in the presence of her children.

The department subsequently recommended that the court remove the children from parental custody. It also recommended that the court deny mother reunification services due to her extensive, abusive and chronic use of drugs, and her resistance to prior court-ordered treatment for this problem during the three-year period prior to the filing of the petition that brought the children to the court's attention (§ 361.5, subd. (b)(13)).

According to the department's evidence, mother was convicted, in 2004, of drug possession and received probation with a condition of drug treatment. She eventually completed a substance abuse program in 2007, but relapsed in 2010.

By late summer 2013, mother was once again in custody. At an October dispositional hearing, she testified, "I've been using meth[amphetamine] for a long time, off and on since I was 17." By 1999, when she was 22, she started "getting real deeply into using meth[amphetamine]." She also volunteered that she relapsed once she was released from custody in May 2013, and "gave up on [herself] as a mother."

Once she was rearrested, mother decided she needed her children. While in jail this time, she "got sober" and signed up for classes and programs available in the jail.

In closing argument, mother's counsel acknowledged that mother certainly had a difficult problem with methamphetamine with which she had struggled. However, she currently realized she risked losing her children and asked for the chance to reunify with them.

The juvenile court removed the children from mother's custody and denied mother reunification services. The court then set a section 366.26 hearing to select and implement a permanent plan for the children.

DISCUSSION

The purpose of writ proceedings such as this is to facilitate review of a juvenile court's order setting a section 366.26 hearing to select and implement a permanent plan for a dependent child. (Cal. Rules of Court, rule 8.450(a).) A court's decision is presumed correct. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) It is up to a petitioner to raise specific issues and substantively address them. (§ 366.26, subd. (I).) This court will not independently review the record for possible error. (*In re Sade C.* (1996) 13 Cal.4th 952, 994.)

Mother claims recent sobriety but fails to raise specific issues as to the juvenile court's decision and substantively address them. To the extent she means to argue that she was sober during the three years immediately before the children's detention in 2013 and therefore the court could not deny her services, mother ignores the record. First, she admitted at the outset that she relapsed in 2010. Second, she only claimed to have been sober after her 2011 completion of a drug program. Third, there was conflicting evidence in the record that mother continued to abuse drugs.

DISPOSITION

The petition for extraordinary writ is dismissed. This opinion is immediately final as to this court.