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

J.H.,

Petitioner,

v.

THE SUPERIOR COURT OF FRESNO
COUNTY,

Respondent;

FRESNO COUNTY DEPARTMENT OF
SOCIAL SERVICES,

Real Party in Interest.

F069972

(Super. Ct. No. 13CEJ300318-1)

OPINION

THE COURT*

ORIGINAL PROCEEDINGS; petition for extraordinary writ review. Brian M. Arax, Judge.

J.H., in pro. per., for Petitioner.

No appearance for Respondent.

No appearance for Real Party in Interest.

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

J.H. (mother) is a self-represented minor whose one-year-old daughter K.E. is a juvenile dependent (Welf. & Inst. Code, § 361).¹ Mother seeks an extraordinary writ (Cal. Rules of Court, rule 8.452) to set aside the juvenile court's August 2014 orders terminating reunification services and setting a section 366.26 hearing to select a permanent plan for the child. Mother appears to contend that the child's 2013 detention was unnecessary. She asks us to review the circumstances in 2013 from her point of view. Mother also requests more time to complete her classes and a second chance to show that she is a fit parent.

On review, we conclude mother's petition is inadequate. It does not raise any claim of judicial error relating to the juvenile court's August 2014 orders. It also does not comply with the procedural requirements for a petition under California Rules of Court, rule 8.452. Accordingly, we will dismiss her petition.

PROCEDURAL AND FACTUAL HISTORY

When K.E. was born in March 2013, mother tested positive for methamphetamine. Because the newborn had no apparent medical issues, she was released to mother's care with the understanding that mother and K.E. would live with the newborn's maternal grandmother. However by the summer of 2013, mother was a runaway and became the subject of her own juvenile dependency proceedings. Although mother was placed into foster care and K.E. was allowed to remain with her, mother left her foster care placement with the infant in October 2013 and was living house to house. Mother's instability and runaway status, combined with her inability to maintain consistent and stable housing for the infant, placed K.E. at substantial risk of suffering serious physical

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

Mother is currently 17 years of age. As a parent of a child who is the subject of a juvenile dependency proceeding, mother may appear in this court without a guardian ad litem. (Code Civ. Proc., § 372, subd. (c)(1)(B).)

harm or illness. K.E.'s father was aware of the situation, yet failed to take corrective action to ensure her protection. As a result, real party in interest Fresno County Department of Social Services (department) detained the infant in October 2013, and the juvenile court exercised its dependency jurisdiction (§ 300, subd. (b)) over K.E. in December 2013.

In January 2014, the juvenile court adjudged 10-month-old K.E. a juvenile dependent, removed her from parental custody, and ordered numerous reunification services for the parents. Court-ordered services for both parents included parenting classes, substance abuse, mental health and domestic violence evaluations, as well as recommended treatment, and random drug testing.

The parents were advised of their right to appeal. Neither parent pursued an appeal to this court.

Over the following eight months, mother failed to regularly participate in any of her court-ordered treatment programs. She was discharged multiple times for her failure to attend the various programs. She also refused to remain in her own foster care placement or with relatives. By August 2014, mother had stopped participating altogether in substance abuse treatment, anger management, parenting, and random drug testing. The father was also not participating in services. As a result, the department recommended that the juvenile court terminate reunification services and set a section 366.26 hearing to select and implement a permanent plan for K.E.

At an August 2014 review hearing, mother's counsel objected to the department's recommendations without presenting any additional evidence. The court found by clear and convincing evidence that the parents failed to participate regularly in court-ordered treatment. It also found each parent's progress toward alleviating or mitigating the causes necessitating the child's out of home placement had been minimal. Further, the court found it was in the child's best interest that a section 366.26 hearing be set. The court, in turn, terminated reunification services and set a section 366.26 hearing.

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.)

In her petition, mother raises no specific issues or claims that the juvenile court erred by terminating reunification services and setting the section 366.26 hearing. At most, she appears to contend that K.E.'s detention in 2013 was unnecessary and asks us to review the circumstances in 2013 from her point of view.

Mother has forfeited any issue regarding the child's detention and eventual removal from her custody by failing to timely challenge in this court the juvenile court's January 2014 disposition of the case. (*In re Elizabeth M.* (1991) 232 Cal.App.3d 553, 563.) The dispositional order was appealable (*In re Eli F.* (1989) 212 Cal.App.3d 228, 233; § 395), but mother did not pursue an appeal from it. Therefore, she cannot now challenge the juvenile court's previous orders.

In any event, it is not within this court's authority to review the record from mother's point of view. As this court explained in *In re Brison C.* (2000) 81 Cal.App.4th 1373, 1378-1379, in juvenile dependency cases, the power of an appellate court asked to assess the sufficiency of the evidence begins and ends with a determination as to whether there is any substantial evidence, whether or not contradicted, which will support the conclusion of the trier of fact. All conflicts must be resolved in favor of the prevailing party and all legitimate inferences indulged in to uphold the decision, if possible. We may not reweigh or express an independent judgment on the evidence. (*In re Laura F.*

(1983) 33 Cal.3d 826, 833.) Issues of fact and credibility are matters for the trial court alone. (*In re Amy M.* (1991) 232 Cal.App.3d 849, 859-860.)

Finally, mother's request for more time to complete her classes and a second chance to show that she is a fit parent does not amount to a claim of judicial error. Assuming mother has changed course and is committed to correcting the conditions that led to K.E.'s removal, she should address her request to the juvenile court. (See § 388.)

DISPOSITION

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