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

B.H.,

Petitioner,

v.

THE SUPERIOR COURT OF FRESNO
COUNTY,

Respondent;

FRESNO COUNTY DEPARTMENT OF
SOCIAL SERVICES,

Real Party in Interest.

F071366

(Super. Ct. No. 13CEJ300249)

OPINION

THE COURT*

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

B.H., in propria persona for Petitioner.

No appearance for Respondent.

No appearance for Real Party in Interest.

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* Before Detjen, Acting P.J., Franson, J. and Peña, J.

B.H. (father) seeks an extraordinary writ (Cal. Rules of Court, rule 8.452) from the juvenile court's order terminating reunification services and setting a Welfare and Institutions Code section 366.26 hearing as to his 20-month-old daughter C.H.¹ He asks that the juvenile court reconsider its decision to terminate his reunification services. However, he fails to state any grounds for concluding that the order terminating reunification services was erroneous. On review, we conclude father's petition is inadequate under California Rules of Court, rule 8.452. Accordingly, we will dismiss his petition.

PROCEDURAL AND FACTUAL HISTORY

C.H. was born drug-exposed in July 2013. Both of her parents accepted voluntary family maintenance services, including substance abuse treatment for both of them, shortly after C.H.'s birth. Nevertheless, each parent continued to use methamphetamine and tested positive for the drug in August 2013. Fresno County Department of Social Services (department) detained C.H. that same month and initiated juvenile dependency proceedings under section 300, subdivision (b).

In October 2013, the juvenile court exercised its dependency jurisdiction over C.H., removed her from parental custody, and ordered reunification services for both parents. Services included parenting classes, substance abuse evaluation and any recommended treatment, random drug testing and mental health assessment and any recommended treatment.

As of the October 2013 proceedings, father was incarcerated and could not effectively participate in services. He was released from custody in January 2014, only to be arrested in February 2014 for possession of a controlled substance and probation violation.

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

During the brief time father was free in January and February 2014, he started attending parenting classes, tested negative for drugs and completed his mental health assessment. However, he missed a scheduled substance abuse evaluation. In June 2014, the court continued C.H.'s out-of-home placement and reunification services for father. It also discontinued services for the child's mother.

Father was released from custody a second time in August 2014. Upon father's release, the department made new referrals for parenting classes, substance abuse evaluation and any recommended treatment, random drug testing and mental health assessment and any recommended treatment. However, he did not take advantage of any of the evaluations or services. At a November 2014 12-month status review hearing, the court continued services for father but warned the department could calendar a hearing if father did not comply with the terms of his reunification services.

By the end of November 2014, father started a new parenting class and completed his evaluations for substance abuse and mental health treatment. His substance abuse evaluation led to a recommendation for an intensive outpatient drug treatment program. Mental health therapy was also recommended.

However, by the time of an 18-month status review hearing conducted in April 2015, father had been referred to two different drug treatment programs in which he did not participate. He declined to participate in the first program, claiming work as an excuse. He also failed to participate in the second program. His excuse that time was that a family member was in the hospital. However, he offered no corroborating evidence regarding the hospitalization or explanation why he could not both visit the hospitalized family member and still participate in the outpatient program. Father also missed five random drug tests that were deemed presumptively positive and had one positive methamphetamine test. He did not make any consistent or significant progress in terms of addressing his substance abuse issue. At best, father completed his parenting program and participated in some mental health therapy.

At the April 2015 hearing, the court continued C.H.'s out-of-home placement due to father's failure to engage in his substance abuse services. It also found the department offered father reasonable reunification services. Because father made minimal, rather than significant and consistent, progress in reunification services to address the problems which led to C.H.'s removal, the court could not find there was a substantial probability that with additional services C.H. could be returned to father's care within the maximum time remaining for reunification efforts. In addition, the court did not find clear and convincing evidence that additional services would be in the child's best interests. Consequently the court terminated reunification services for father and set a section 366.26 hearing to select and implement a permanent plan for C.H.

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. (l).) This court will not independently review the record for possible error. (*In re Sade C.* (1996) 13 Cal.4th 952, 994.)

In this case, father asks that the juvenile court reconsider its decision to terminate his reunification services. However, he fails to state any grounds for concluding that the juvenile court's order terminating reunification services was erroneous. Accordingly, there is nothing for this court to review.

DISPOSITION

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