Filed 10/3/03 In re Karena N. CA4/2

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

In re KARENA N., a Person Coming Under the Juvenile Court Law.	
RIVERSIDE COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES, Plaintiff and Respondent, v. GEORGENA N., Defendant and Appellant.	E033725 (Super.Ct.No. J-91634) OPINION

APPEAL from the Superior Court of Riverside County. Martin H. Swanson, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Jennifer Mack, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

No appearance for Minor.

On February 21, 2002, the minor was taken into protective custody after law enforcement discovered that her mother was using methamphetamine while caring for her. Further, there were weapons and drugs in the home.

Mother enrolled in a MFI recovery facility called "A Woman's Place" on February 22, 2002. The placement allowed mother and the minor to be together in the facility. Mother was later removed from that program because of abusive and potentially violent behavior toward the minor.

A petition was filed on May 16, 2002, with the juvenile court alleging that minor came within the jurisdiction of the juvenile court pursuant to Welfare and Institutions Code section 300, subdivisions (b) and (g).[1] Subsequently, on June 27, 2002, mother was arrested for petty theft with a prior conviction for theft. (Pen. Code, § 666.)

The court sustained the allegations under section 300, subdivision (b) because mother placed minor at risk due to continued drug use, the minor's drug screening at birth showing exposure to methamphetamine and mother's history with DPSS including her failed reunification efforts with two older children.

After mother was convicted of felony petty theft, she was sentenced to prison for a term of two and a half years. On October 16, 2002, a contested dispositional hearing was conducted resulting in the removal of minor from mother's custody and denial of reunification services pursuant to section 361.5, subdivisions (b)(10) and (13) and (e)(1).

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

Mother was advised of rule 39.1B writ requirements and did not file a writ. A section 366.26 hearing was held in March 2003, resulting in a finding that the minor was adoptable[2] and that no exception to the termination of parental rights applied under section 366.26. The court terminated mother's parental rights.

Mother has appealed and at her request we appointed counsel to represent her. Counsel has filed a brief pursuant to *In re Sade C.* (1996) 13 Cal.4th 952, and *Anders v. California* (1967) 386 U.S. 738 setting forth a statement of the case, a summary of the facts and requesting this court to undertake an independent review of the entire record.

We have offered mother an opportunity to file a personal supplemental brief, but she has not done so.

We have now completed our independent review of the record and find no arguable issues.

The judgment is affirmed.

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HOLLENHORST
J.

We concur:

RAMIREZ
P. J.

WARD
J.

[2] Her foster parents had applied to adopt her.