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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

In re E.M., a Person Coming Under the  
Juvenile Court Law.

RIVERSIDE COUNTY DEPARTMENT  
OF PUBLIC SOCIAL SERVICES,

Plaintiff,

v.

M.S.,

Defendant and Respondent;

E.M.,

Appellant.

E080345

(Super.Ct.No. DPRI2200069)

OPINION

APPEAL from the Superior Court of Riverside County. Mona M. Nemat, Judge.

Dismissed.

Robert McLaughlin, under appointment by the Court of Appeal, for Appellant.

Konrad S. Lee, under appointment by the Court of Appeal, for Defendant and  
Respondent.

No appearance for Plaintiff.

### INTRODUCTION

E.M. (the child) contends a juvenile court erred in granting his mother, M.S. (mother), reunification services. He argues there was insufficient evidence to support the court's determination that Welfare and Institutions Code<sup>1</sup> section 361.5, subdivision (b)(10) and (b)(11), did not apply since mother had not made reasonable efforts to treat the problems that led to the removal of her three other children. Mother argues the appeal is moot since services have already been provided. Moreover, the child's counsel submitted an update indicating the court terminated mother's services and set a section 366.26 hearing for September 25, 2023. We dismiss the appeal as moot.

### PROCEDURAL BACKGROUND

On August 26, 2022, the Riverside County Department of Public Social Services (DPSS) filed a petition on behalf of the child, who was only a few days old. The petition alleged the child came within the provisions of section 300, subdivision (b) (failure to protect).

The social worker filed a detention report stating that mother gave birth to the child while en route to the hospital. Once at the hospital, she tested positive for methamphetamine. Mother said she last used methamphetamine the week prior, but then admitted she smoked methamphetamine daily. The social worker reported that mother had a long history of substance abuse, and she attempted to flee the hospital with the

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<sup>1</sup> All further statutory references will be to the Welfare and Institutions Code unless otherwise indicated.

newborn against medical advice. Furthermore, mother had previous dependencies with three other children, who were removed from her care in San Bernardino County. She was offered services but did not participate, which resulted in her parental rights being terminated in each prior dependency case.

At a hearing on August 29, 2022, the court detained the child in foster care.

The social worker filed a jurisdiction/disposition report, recommending that the court sustain the petition, declare the child a dependent, deny mother reunification services pursuant to the bypass provisions under section 361.5, subdivision (b)(10) and (b)(11), and set a section 366.26 hearing.

The court held a contested jurisdiction hearing on October 24, 2022, and sustained the petition. At the disposition hearing on December 9, 2022, the court stated that section 361.5, subdivision (b)(10) and (b)(11), were not absolute bars to reunification services. It found that mother had made reasonable efforts to treat the problems that led to the removal of her other children since she had tested negative several times recently, and it was in the child's best interest to offer her reunification services. The court then ordered DPSS to submit a new case plan, and it set a six-month review hearing for May 26, 2023.

The child filed a notice of appeal on December 12, 2022.

On July 20, 2023, appellate counsel for the child filed a letter indicating he was informed that the juvenile court terminated mother's reunification services on May 26, 2023, and set a section 366.26 hearing for September 25, 2023.

## DISCUSSION

### The Appeal is Moot

Mother contends the child's appeal is moot, as she has already been provided with six months of reunification services, and there is no effective relief this court can grant.

We agree.

As a general rule, it is a court's duty to “ ‘ “to decide actual controversies by a judgment which can be carried into effect, and not to give opinions upon moot questions or abstract propositions, or to declare principles or rules of law which cannot affect the matter in issue in the case before it.” ’ ” (*Eye Dog Foundation v. State Board of Guide Dogs for the Blind* (1967) 67 Cal.2d 536, 541; see *In re N.S.* (2016) 245 Cal.App.4th 53, 59 (*N.S.*)) “An appellate court will dismiss an appeal when an event occurs that renders it impossible for the court to grant effective relief.” (*N.S.*, at pp. 58-59.)

Here, the child contends the court's order granting mother reunification services should be reversed. However, mother already received services for six months. Moreover, as the child's counsel has indicated, services have now been terminated. Therefore, there is no effective relief we can grant. (*N.S.*, *supra*, 245 Cal.App.4th at pp. 58-59.) We acknowledge, as the child asserts, that a reviewing court may exercise its inherent discretion to reach the merits of a dispute, even when a case is moot. However, the child has given us no compelling reason to do so here. (See *In re D.P.* (2023) 14 Cal.5th 266, 282-283.)

Since there is no effective relief this court can grant, we will dismiss the appeal. (*N.S.*, *supra*, 245 Cal.App.4th at pp. 58-59.)

DISPOSITION

The appeal is dismissed.

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FIELDS  
J.

We concur:

RAMIREZ  
P. J.

RAPHAEL  
J.