

Attorney Letterhead

[*date*]

Fifth District Court of Appeal
2424 Ventura Street
Fresno, CA 93721

Re: _____ v. _____; Case No. _____
_____ County Case No. _____

**Letter Brief pursuant to *In re Phoenix H.* (2009) 47 Cal.4th 835
and *In re Sade C.* (1996) 13 Cal.4th 952**

Dear Justice Hill:

This Letter Brief is submitted pursuant to *In re Phoenix H.* (2009) 47 Cal.4th 835 and *In re Sade C.* (1996) 13 Cal.4th 952. Court-appointed appellate counsel has found no issues on appeal and submits this brief setting out the applicable facts, procedure and law.

STATEMENT OF APPEALABILITY

This appeal, filed by [appellant's name] (hereinafter "[appellant's name]") on [notice of appeal date] (CT __), is from [order date] Welfare and Institutions Code¹ section 366.26 orders in a section 300 case filed by _____+ County Department of Social Services (hereinafter "DSS") on behalf of child (hereinafter "child") (CT __) terminating parental rights (CT __). These orders are appealable as orders after judgment. (§ 395.)

**ABBREVIATED INTEGRATED STATEMENT OF THE CASE AND
FACTS**

[Briefly state the facts here.]

APPLICABLE LEGAL AUTHORITIES

[Optional: briefly state client's issues.]

While this court may dismiss the indigent parent's appeal (*In re Sade C.* (1996) 13 Cal.4th 952, 994), it "has the discretion to permit the parent to personally file a brief and must do so only upon a showing of good cause that an arguable issue does, in fact, exist." (*In re Phoenix H.*, *supra*, 47 Cal.4th at pp. 844-845.)

¹ All further references to the Code are to the Welfare and Institutions Code unless otherwise stated.

CONCLUSION

Pursuant to *In re Phoenix H.*, *supra*, 47 Cal.4th 835 and *In re Sade C.*, *supra*, 13 Cal.4th 952, court-appointed appellate counsel has found no issues on appeal and requests that appellant be given thirty days to make a good cause showing that an arguable issue does exist. I have read the entire record. Counsel has corresponded with appellant in English [and Spanish *****if applicable***]] concerning my findings and advised appellant that this letter brief will be filed and that [*she/he*] may be provided the opportunity to personally make a good cause showing that an arguable issue does exist and that if [*she/he*] does not do so, the appeal may be dismissed.**

Appellant respectfully requests that this court permit appellant the opportunity to personally file a letter to make a good cause showing that an arguable issue does exist.

Respectfully submitted,

Attorney name
Attorney for Appellant, [*Name*]

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