

May 1, 2002

CONFIDENTIAL MAIL

Wilma Flintstone
1234 Parents Street
Bedrock, CA 95111

Re: *DFCS v. Wilma Flintstone*, H012345

Ms. Flintstone:

I have reviewed the record on appeal. I regret to inform you that I have found no grounds for arguing that the Court of Appeal should reverse the juvenile court's decision to place the child for adoption.

On appeal we are allowed to challenge only certain things. The Court of Appeal will not disturb the judgment of the juvenile judge that adoption is appropriate unless there was a clear abuse of discretion or the juvenile court made a serious procedural error. I could find no such error in this case.

You have three options on how to proceed. (1) You can have me remain as your attorney on appeal, and I will file a letter with the court stating I can find no issues. This will result in the court dismissing the appeal and the decision of the trial court will be implemented. (2) You can request the court remove me as your attorney. If the request is granted, you will represent yourself, and you can write to the Court of Appeal explaining why you think the decision of the juvenile court should be reversed. (3) You can agree there are no issues and abandon your appeal. This will result in the court dismissing the appeal and the decision of the juvenile court will be implemented. Thus, the only option that will

not result in dismissal of your appeal is for you to represent yourself. You need to be aware, however, that the court of appeal expects you to write a brief as a lawyer would. I will not be able to help you with your arguments; if I thought there was an argument that could be presented I would have raised it.

If you wish to pursue the appeal yourself, you need to sign and date and return to me both “the Motion to Vacate Appointment of Counsel and Extension of Time to File the Opening Brief” and the Declaration.

If you wish to abandon your appeal, you need to sign and date and return to me the enclosed form entitled “Abandonment of Appeal.”

The deadline for filing your brief is coming, so I must hear from you immediately. I will file a letter with the court stating I could not find an issue to argue, and this will result in the court dismissing your appeal (option (1)), unless I receive clear instructions from you to do otherwise.

Sincerely,

Jonathan Grossman
Staff Attorney

Enclosures

Sixth District Appellate Program
Jonathan Grossman 154452
Staff Attorney
100 N. Winchester Blvd., Suite 310
Santa Clara, CA 95050
(408) 241-6171

Attorney for Wilma F.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

In the Matter of PEBBLES F.,
Minors Coming Under the Juvenile Court Law.

SANTA CLARA COUNTY DEPARTMENT OF
FAMILY AND CHILDREN'S SERVICES,
Plaintiff and Respondent,

v.

WILMA F.,
Defendant and Appellant.

H012345

(Santa Clara County
Juvenile Court No.
JD12345.)

ABANDONMENT OF APPEAL

Pursuant to Rule 20(c), California Rules of Court, Appellant hereby abandons the appeal and requests that it be dismissed.

DATED: _____

Wilma Flintstone

I agree with the decision to dismiss the appeal.

DATED: _____

Jonathan Grossman
Counsel for Appellant

Sixth District Appellate Program
Jonathan Grossman 154452
Staff Attorney
100 N. Winchester Blvd., Suite 310
Santa Clara, CA 95050
(408) 241-6171

Attorney for Wilma F.

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SANTA CLARA COUNTY DEPARTMENT OF
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**MOTION TO VACATE APPOINTMENT OF COUNSEL
AND EXTENSION OF TIME TO FILE THE OPENING BRIEF**

Appellant, Minor's P., hereby requests that the court vacate the appointment of the Sixth District Appellate Program and allow appellant to proceed in pro per. Appellant further requests that the court grant a 30 day extension of time to file the opening brief.

DATED: _____

Wilma F.
Appellant

DECLARATION OF WILMA FLINTSTONE

I, WILMA FLINTSTONE, declare:

I am the appellant on this matter. On February 29, 2002, the Santa Clara County Juvenile Court issued an order to terminate my parental rights to my child, Pebbles F.

I want to vacate the appointment of the Sixth District Appellate Program and Jonathan Grossman as appointed counsel and to pursue the appeal on my own.

My opening brief is due May 32, 2002. In order to adequately review the record and prepare my opening brief, I am respectfully requesting an extension of 30 days to file the opening brief.

I do not believe that an extension of time would prejudice any party in this appeal.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May __, 2002 in San Jose, California.

Wilma Flintstone