

In April 2007, the Cabarrus County Department of Social Services ("DSS") filed a juvenile petition alleging that S.M.S., a newborn at the time, was a dependent juvenile. On the same day, DSS took S.M.S. into nonsecure custody. Respondent was sixteen years old and in DSS custody at the time the petition was filed. The petition alleged that respondent had a history of running away, that she had been diagnosed with Oppositional Defiant Disorder and Depressive Disorder, and that she had changed placements four times due to her inability to abide by rules, breaking curfew, suspension from school, possession of a knife, impulsive and explosive behavior towards authority figures, verbal altercations, and refusal to attend therapy. Based on the foregoing, DSS believed that respondent would run away with S.M.S.

In an order entered 8 June 2007, the trial court adjudicated S.M.S. dependent based on respondent's consent. The trial court continued custody of S.M.S. with DSS, but implemented a permanent plan of reunification with respondent. The trial court also ordered respondent to comply with various directives, including abiding by a visitation plan.

Respondent turned eighteen in October 2008; however, she signed an agreement with DSS under the terms of which she would

remain in DSS custody past her eighteenth birthday. As part of the agreement, respondent also agreed to the following: (1) complete the cosmetology degree she was pursuing; (2) find and maintain employment; (3) maintain a bank account and save fifty percent of her wages; and (4) be respectful of her foster care providers. After respondent disrupted her foster placement in March 2009, DSS declined to keep her in its custody.

In an order entered 27 July 2009, the trial court changed S.M.S.'s permanent plan to adoption. On 16 February 2010, DSS filed a motion to terminate respondent's parental rights to S.M.S. Respondent filed an answer to the petition, denying the material allegations.

In May 2010, respondent moved from North Carolina to the Washington, D.C. area. She briefly resided in Washington, D.C., and then moved in with her aunt in Prince George's County, Maryland. Respondent gave birth to a second daughter in June 2010. Respondent has not visited S.M.S. since April 2010.

The trial court conducted a termination of parental rights hearing on 19 August 2010, 14 October 2010, 2 and 3 December 2010, and 17 March 2011. On 9 September 2010, the trial court filed an Order on Motion in the Cause for Grounds to Terminate Parental Rights ("adjudication order") finding the existence of

the following grounds for termination: (1) neglect and (2) willfully leaving the juvenile in foster care for more than twelve months without showing reasonable progress to correct the conditions that led to removal. On 8 April 2011, the trial court entered a separate Order on Best Interest to Terminate Parental Rights ("disposition order") concluding that it was in the juvenile's best interest to terminate respondent's parental rights. Respondent appeals from the disposition order entered 8 April 2011.

I. Adjudication Order

In her first three arguments on appeal, respondent contends that the grounds for termination are not supported by clear, cogent, and convincing evidence, the findings of fact, or the conclusions of law. However, because respondent did not appeal the 9 September 2010 adjudication order, we do not address these arguments.

"Rule 3(d) of the North Carolina Rules of Appellate Procedure requires that a notice of appeal designate the order from which appeal is taken." *In re D.R.F.*, __ N.C. App. __, __, 693 S.E.2d 235, 238 (quotation omitted), *disc. review denied*, __ N.C. __, 705 S.E.2d 358 (2010). "An order remains final and valid when no appeal is taken from it." *Id.* (citation omitted)

(declining to review the respondents' adjudicatory arguments on appeal where notice of appeal was taken only from a dispositional order). Here, the notice of appeal states that respondent appeals only from the "Order entered on the 8th day of April 2011". Therefore, the 9 September 2010 adjudication order remains valid and final, and we do not address respondent's arguments as to that order.

II. Disposition Order

Respondent next argues the trial court abused its discretion by finding that it was in S.M.S.'s best interest to terminate respondent's parental rights. We disagree.

"Once a trial court has concluded during the adjudication phase that grounds exist for termination of parental rights, it must decide in the disposition phase whether termination is in the best interests of the child." *In re D.R.F.*, ___ N.C. App. at ___, 693 S.E.2d at 238 (citation omitted). We review the trial court's best interest determination for an abuse of discretion. *In re Anderson*, 151 N.C. App. 94, 98, 564 S.E.2d 599, 602 (2002) (citation omitted). "A ruling committed to a trial court's discretion is to be accorded great deference and will be upset only upon a showing that it was so arbitrary that it could not have been the result of a reasoned decision." *White v. White*,

312 N.C. 770, 777, 324 S.E.2d 829, 833 (1985).

North Carolina General Statutes section 7B-1110(a) provides six factors trial courts must consider when making a determination as to a child's best interest:

- (1) The age of the juvenile.
- (2) The likelihood of adoption of the juvenile.
- (3) Whether the termination of parental rights will aid in the accomplishment of the permanent plan for the juvenile.
- (4) The bond between the juvenile and the parent.
- (5) The quality of the relationship between the juvenile and the proposed adoptive parent, guardian, custodian, or other permanent placement.
- (6) Any relevant consideration.

N.C. Gen. Stat. § 7B-1110(a) (2009).

Here, respondent contends the trial court failed to consider "her new life in Maryland, her parenting of [her other daughter], and her bond with [S.M.S.]" in finding that termination of respondent's parental rights was in S.M.S.'s best interest. After reviewing the trial court's findings of fact, however, we conclude the trial court considered all of the statutory factors. Specifically, the trial court found as fact that: S.M.S. will be four years old on 8 April 2011; S.M.S.'s

foster mother for most of her life wishes to adopt her and termination of respondent's parental rights will further the permanent plan of adoption; S.M.S. has a bond with respondent, but not the normal parent/child bond; and S.M.S. is very bonded to her foster mother. Based upon these findings of fact, and the numerous other findings of fact in the order, we cannot say that the trial court's decision to terminate respondent's parental rights "was so arbitrary that it could not have been the result of a reasoned decision." *White*, 312 N.C. at 777, 324 S.E.2d at 833. Thus, we affirm the trial court's order.

AFFIRMED.

Judges HUNTER and McCULLOUGH concur.

Report per Rule 30(e).