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NO. COA14-719  
NORTH CAROLINA COURT OF APPEALS

Filed: 2 December 2014

IN THE MATTER OF: Mecklenburg County  
Nos. 10 JT 111-13, 11 JT 63,  
K.P.-J., X.J., O.J., 12 JT 378, 13 JT 609  
S.J., E.G., Jr., H.J.

Appeal by Respondent-mother from order entered 21 April 2014 by Judge Louis A. Trosch, Jr., in Mecklenburg County District Court. Heard in the Court of Appeals 10 November 2014.

*No brief filed for Petitioner Mecklenburg County Department of Social Services.*

*Peter Wood for Respondent-mother.*

*No brief filed for Guardian ad Litem.*

STEPHENS, Judge.

Respondent-mother appeals from an order terminating her parental rights to K. P.-J. ("Kelly"), X.J. ("Xena"), O.J. ("Ollie"), S.J. ("Sally"), E.G., Jr. ("Ernie"), and H.J. ("Holly").<sup>1</sup> We affirm.

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<sup>1</sup> Pursuant to N.C.R. App. P. 3.1, we use pseudonyms to protect

The Mecklenburg County Department of Social Services, Division of Youth and Family Services ("YFS"), filed a juvenile petition on 15 June 2012 alleging that Kelly, Xena, Ollie, and Sally were neglected juveniles and that Ernie was an abused and neglected juvenile. YFS obtained nonsecure custody of the juveniles on the same day. In an order entered on 27 February 2013, the district court adjudicated Ernie abused and neglected, and adjudicated the other four juveniles neglected. Holly was born in October 2013. Shortly after her birth, YFS obtained nonsecure custody of Holly and filed a juvenile petition alleging that she was a neglected juvenile. In an order entered on 28 March 2014, the district court adjudicated Holly neglected.

On 20 February 2013, YFS filed petitions to terminate the parental rights of Respondent-mother alleging the following grounds for termination as to Kelly, Xena, Ollie, Sally, and Ernie: (1) neglect; (2) willful failure to pay a reasonable portion of the cost of care for the juveniles; and (3) willful abandonment. See N.C. Gen. Stat. § 7B-1111(a)(1), (3), (7) (2013). YFS filed a second petition on 12 November 2013 alleging neglect as the sole ground for termination as to Holly.

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the juveniles' privacy.

See N.C. Gen. Stat. § 7B-1111(a)(1). Following a hearing, the district court entered an order on 21 April 2014 concluding that termination of Respondent-mother's parental rights as to Kelly, Xena, Ollie, Sally, and Ernie was justified based upon the following grounds: (1) neglect; (2) willful failure to pay a reasonable portion of the cost of care for the juveniles; and (3) willfully leaving the juveniles in foster care for more than twelve months without showing reasonable progress to correct the conditions that led to removal. See N.C. Gen. Stat. § 7B-1111(a)(1)-(3). The district court concluded that termination of Respondent-mother's parental rights to Holly was justified based upon the ground of neglect. See N.C. Gen. Stat. § 7B-1111(a)(1). The court also concluded that it was in the juveniles' best interest to terminate Respondent-mother's parental rights. Respondent-mother gave timely notice of appeal. The district court also terminated the parental rights of the juveniles' fathers, but they are not parties to this appeal.

Respondent-mother's counsel has filed a no-merit brief on her behalf in which counsel states that after "a conscientious and thorough review of the record on appeal," he "concludes that the record contains no issue of merit on which to base an

argument for relief and that the appeal would be frivolous." Pursuant to N.C.R. App. P. 3.1(d), counsel requests that this Court conduct an independent examination of the case. Counsel has also shown to the satisfaction of this Court that he has advised Respondent-mother of her right to file written arguments with this Court, and counsel has provided her with the documents necessary to do so. Respondent-mother has not filed her own written arguments.

After carefully reviewing the transcript and record, we are unable to find any possible prejudicial error in the district court's order. Although the court erroneously concluded that termination as to each juvenile was justified based upon a ground which was not alleged in YFS's petitions, only one ground is necessary to support termination. Therefore, if this Court determines that the findings of fact support any one ground for termination, we need not review the other challenged grounds. See *In re Humphrey*, 156 N.C. App. 533, 540, 577 S.E.2d 421, 426 (2003). Here, the district court's findings of fact support at least one ground for termination as to each juvenile. Additionally, the court did not abuse its discretion in determining that termination was in the best interests of the juveniles. Accordingly, following careful review of the record,

we find no prejudicial error in the district court's order terminating Respondent-mother's parental rights to the juveniles.

AFFIRMED.

Judges GEER and MCCULLOUGH concur.

Report per Rule 30(e).