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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA16-687

Filed: 15 November 2016

Scotland County, No. 15-J-12

IN THE MATTER OF: A.G.

Appeal by Respondent-Father from orders entered 4 March 2016 by Judge Christopher W. Rhue in Scotland County District Court. Heard in the Court of Appeals 19 October 2016.

No brief filed on behalf of Petitioner-Appellee Scotland County Department of Social Services.

Appellate Defender G. Glenn Gerding, by Assistant Appellate Defender Joyce L. Terres, for Respondent-Appellant Father.

Daniel Melo for Guardian ad Litem.

DILLON, Judge.

Father appeals from (1) an order adjudicating his minor child, A.G. (“Alexis”)¹, neglected, and (2) a disposition order placing custody of Alexis with her aunt and uncle. We hereby vacate the adjudication order and the disposition order and remand for further proceedings consistent with this opinion.

¹ A pseudonym.

Opinion of the Court

The trial court entered an order adjudicating Alexis as a neglected child purportedly based on Father's consent. On appeal, Father argues that the consent order was ineffective because the trial court failed to make findings of fact as required by N.C. Gen. Stat. § 7B-801(b1)(3). *See* N.C. Gen. Stat. § 7B-801(b1)(3) (2015). Father notes that the trial court did not make any determination that the conditions alleged in the petition existed and further, that Father did not stipulate to the allegations in the petition. Father also argues that the trial court erred in entering the disposition order. Father contends that the trial court should not have ordered that reunification efforts cease between Father and Alexis.

Alexis's guardian *ad litem* has conceded Father's arguments, joining in Father's brief on appeal. No brief has been filed advancing any argument as to why the orders of the trial court should be affirmed.

We have carefully reviewed the record and conclude that the adjudication order should be vacated. We further conclude that the disposition order should be vacated and the matter remanded for further proceedings consistent with this opinion.

VACATED AND REMANDED.

Judges ELMORE and HUNTER, JR., concur.

Report per Rule 30(e).