

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

IN THE INTEREST OF: M.A.F.-B. : IN THE SUPERIOR COURT OF  
: PENNSYLVANIA  
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APPEAL OF: S.D.F., MOTHER : No. 250 EDA 2014

Appeal from the Order Entered December 17, 2013  
In the Court of Common Pleas of Philadelphia County  
Domestic Relations at No(s): CP-51-AP0000233-2011

IN THE INTEREST OF: S.M.F.-B. : IN THE SUPERIOR COURT OF  
: PENNSYLVANIA  
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APPEAL OF: S.D.F., MOTHER : No. 255 EDA 2014

Appeal from the Order Entered December 17, 2013  
In the Court of Common Pleas of Philadelphia County  
Domestic Relations at No(s): CP-51-AP0000234-2011

BEFORE: GANTMAN, P.J., ALLEN, J. and FITZGERALD\*

MEMORANDUM BY GANTMAN, P.J.:

**FILED JULY 23, 2014**

Appellant, S.D.F. ("Mother"), appeals from the orders entered in the Philadelphia County Court of Common Pleas, which involuntarily terminated her parental rights to her minor children, M.A.F.-B. and S.M.F.-B. ("Children"). We affirm.

In its opinion, the trial court fully and correctly set forth the relevant facts and procedural history of this case. Therefore, we have no reason to restate them.

Mother raises five issues for our review:

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\*Former Justice specially assigned to the Superior Court.

WHETHER THE [DEPARTMENT OF HUMAN SERVICES ("DHS")] FOLLOWED UP WITH HOME VISITS?

WHETHER DHS WORKER[S] STATED NO SOCIAL SERVICES W[ERE] REQUIRED TO INVESTIGATE?

WHETHER DHS HAD ACCURATE DATES ON VISITS AND REQUIREMENTS FOR [FAMILY SERVICE PLAN ("FSP")]?

WHETHER DHS MADE SURE CALENDAR VISITS WERE MAILED OUT?

WHETHER [BEHAVIORAL HEALTH SERVICES ("BHS")] FOLLOWED THROUGH WITH THERAPISTS' APPOINTMENTS?

(Mother's Brief at 2).

Preliminarily, we observe that appellate briefs must conform in all material respects to the briefing requirements set forth in the Pennsylvania Rules of Appellate Procedure. ***Rosselli v. Rosselli***, 750 A.2d 355 (Pa.Super. 2000), *appeal denied*, 564 Pa. 696, 764 A.2d 50 (2000) (citing Pa.R.A.P. 2101). ***See also*** Pa.R.A.P. 2114-2119 (addressing specific requirements of each subsection of brief on appeal). Regarding the argument section of an appellate brief, Rule 2119(a) provides:

**Rule 2119. Argument**

**(a) General rule.**—The argument shall be divided into as many parts as there are questions to be argued; and shall have at the head of each part—in distinctive type or in type distinctively displayed—the particular point treated therein, followed by such discussion and citation of authorities as are deemed pertinent.

Pa.R.A.P. 2119(a). Importantly, where an appellant fails to properly raise or develop her issues on appeal, or where her brief is wholly inadequate to

present specific issues for review, a court will not consider the merits of the claims raised on appeal. **Butler v. Illes**, 747 A.2d 943, 944-45 (Pa.Super. 2000) (holding appellant waived claim where appellant failed to set forth adequate argument concerning her claim on appeal; appellant's argument lacked meaningful substance and consisted of mere conclusory statements; appellant failed to cogently explain or even tenuously assert why trial court abused its discretion or made error of law). **See also Lackner v. Glosser**, 892 A.2d 21, 29-30 (Pa.Super 2006) (explaining appellant's arguments must adhere to rules of appellate procedure, and arguments which are not appropriately developed are waived on appeal; arguments not appropriately developed include those where party has failed to cite any authority in support of contention); **Estate of Haiko v. McGinley**, 799 A.2d 155, 161 (Pa.Super. 2002) (stating rules of appellate procedure make clear appellant must support each question raised by discussion and analysis of pertinent authority; absent reasoned discussion of law in appellate brief, this Court's ability to provide appellate review is hampered, necessitating waiver of issue on appeal).

Instantly, the argument section of Mother's brief on appeal consists of only one-paragraph, asserting generally that Mother raised the issues presented in her Rule 1925(a)(2)(i) statement at the termination of parental rights hearing, contrary to the trial court's statement in its opinion. (**See** Trial Court Opinion, filed March 5, 2014, at 19-21.) The argument portion of

Mother's brief is not divided into separate sections for each question to be argued. **See** Pa.R.A.P. 2119(a). More importantly, Mother's brief fails to present any cogent arguments and cites no legal authority whatsoever. **See id.** Mother does not even contest the court's specific termination findings under 23 Pa.C.S.A. § 2511(a) or (b). Mother's failure to develop her claims on appeal precludes meaningful review and waives her issues for appellate review. **See Lackner, supra; Estate of Haiko; Butler, supra. See also In re C.P.,** 901 A.2d 516, 522 (Pa.Super. 2006) (holding mother's failure to support claim on appeal with relevant legal authority or discussion precluded appellate review of issue).<sup>1</sup>

Moreover, after a thorough review of the record, the briefs of the parties, the applicable law, and the well-reasoned opinion of the Honorable Edward C. Wright, we conclude that even if Mother had properly preserved her issues for our review, her claims would nevertheless merit no relief. The trial court opinion comprehensively discusses and properly disposes of the questions presented. (**See** Trial Court Opinion at 18-28) (finding: preliminarily, Mother's Rule 1925(a)(2)(i) statement contains only general allegations of error and fails to identify specific issues for appellate review; thus, Mother's claims are waived due to vagueness of her concise statement; additionally, Mother's issues on appeal are waived because she failed to

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<sup>1</sup> Mother's brief also lacks a statement of jurisdiction, the orders appealed from, a statement of the case, and a copy of Mother's Rule 1925(a)(2)(i) statement. **See** Pa.R.A.P. 2111(a)(1), (2), (5), and (11).

raise these precise claims of error at termination hearing; moreover, no evidence of record supports Mother's claims of error, so even if Mother had preserved her issues at termination hearing and in concise statement of errors, they would merit no relief; furthermore, termination of Mother's parental rights was proper under Section 2511(a)(1), (2), (5), and (8), but court focused its analysis on Section (a)(1); in six months preceding filing of petition for involuntary termination of Mother's parental rights, Mother failed to comply with FSP goals;<sup>2</sup> Mother did not comply with mental health evaluations, supervised visits at agency, employment objectives, or attend medical and educational appointments or Family School; Mother repeatedly failed to follow DHS recommendations, court-ordered appointments, and rehabilitation programs; Mother did not obtain unsupervised visits during four years Children were in custody of DHS; Mother attended only three supervised visits at agency during duration of case; Mother failed to utilize available resources; Mother's lack of action indicated her intent to relinquish parental rights and refusal or failure to perform parental duties; Mother's inability to accept that Children have special needs was disconcerting; nothing in record demonstrated Mother can provide for Children; under

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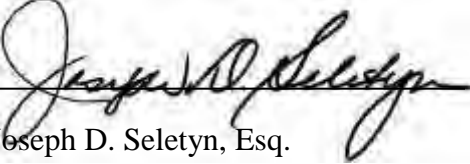
<sup>2</sup> Mother's FSP goals included: (1) maintaining visitation with Children; (2) obtaining and maintaining appropriate housing; (3) meeting regularly with agency social workers; (4) cooperating with home evaluations; (5) making herself available to sign any forms requiring parental consent; (6) participating in family school; (7) participating in mental health evaluations; (8) enrolling in a GED program or job training program; and (9) participating in a parenting capacity evaluation.

Section 2511(b), evidence showed Children would not suffer irreparable harm if court terminated Mother's parental rights; Children have no beneficial relationship with Mother; relationship between Children and maternal grandparents is akin to parents and children; testimony of DHS caseworkers was credible; DHS sustained its burden by clear and convincing evidence). Accordingly, Mother's issues are waived for appellate review; had Mother properly preserved her claims, we would have affirmed on the basis of the trial court's opinion.

Orders affirmed.

\*JUSTICE FITZGERALD FILES A CONCURRING STATEMENT.

Judgment Entered.



Joseph D. Seletyn, Esq.  
Prothonotary

Date: 7/23/2014