COURT OF APPEALS OF VIRGINIA

Present: Judges Alston, Decker and Senior Judge Coleman

RICARDO ESTEBAN ASTUDILLO

                                                    MEMORANDUM OPINION[*]
v.   Record No. 0106-14-4   PER CURIAM
                                                         JULY 15, 2014
FAIRFAX COUNTY DEPARTMENT
 OF FAMILY SERVICES

                FROM THE CIRCUIT COURT OF FAIRFAX COUNTY
                          Michael F. Devine, Judge

              (Chanel M. Jackson; Lavonda N. Graham-Williams, on brief), for
              appellant.

              (David P. Bobzien, County Attorney; Peter D. Andreoli, Jr., Deputy
              County Attorney; Donna R. Banks, Assistant County Attorney;
              Darlene R. Langley, Guardian *ad litem* for the infant child;
              Langley & Langley, PC, on brief), for appellee.

        Ricardo Esteban Astudillo appeals the trial court's order terminating his parental rights to

his child pursuant to Code § 16.1-283(B)(1), 16.1-283(B)(2)(a), 16.1-283(B)(2)(c), 16.1-283(C)(2),

and 16.1-283(E)(i). Astudillo argues the trial court erred because he complied with the services

offered by Fairfax County Department of Family Services as best as he could and there was no

evidence of continuing domestic violence. Upon reviewing the record and briefs of the parties, we

conclude this appeal is without merit. Accordingly, we summarily affirm the decision of the trial

court. See Rule 5A:27.

        Astudillo does not challenge the trial court's decision to terminate his rights pursuant to

Code § 16.1-283(E)(i). This finding was supported by the evidence that Astudillo's parental rights

to his other child were terminated in 2012. Because Astudillo does not challenge the trial court's

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        [*] Pursuant to Code § 17.1-413, this opinion is not designated for publication.

decision to terminate his residual parental rights under subsection (E), the issue of whether

termination was warranted pursuant to subsections (B) and (C) is rendered moot. <u>See</u> <u>Fields v.</u>

<u>Dinwiddie Cnty. Dep't of Soc. Servs.</u>, 46 Va. App. 1, 8, 614 S.E.2d 656, 659 (2005) (termination of

parental rights upheld under one subsection of Code § 16.1-283 forecloses need to consider

termination under alternative subsections).

      The trial court's decision is summarily affirmed. <u>See</u> Rule 5A:27.

<div align="right"><u>Affirmed.</u></div>