

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, Alston and Senior Judge Coleman

VELMA SHANTE CHAMBERS AYERS

v. Record No. 0802-10-2

BUCKINGHAM COUNTY DEPARTMENT
OF SOCIAL SERVICES

MEMORANDUM OPINION*
PER CURIAM
JULY 27, 2010

FROM THE CIRCUIT COURT OF BUCKINGHAM COUNTY
Richard S. Blanton, Judge

(Daniel L. Rutherford, on brief), for appellant.

(E. M. Wright, Jr.; Jody H. Fariss, Guardian *ad litem* for the minor
child, on brief), for appellee.

Velma S. Ayers appeals a decision of the trial court approving a permanency planning order with a goal of adoption and terminating her residual parental rights. On appeal, she contends the evidence was insufficient to support the trial court's decision. 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. Rule 5A:27.

The trial court terminated Ayers' parental rights pursuant to both Code § 16.1-283(B) and 16.1-283(E)(i). On appeal, Ayers challenges only the termination of her parental rights pursuant to Code § 16.1-283(B).

In addition to invoking Code § 16.1-283(B), the final order recites that "clear and convincing evidence [establishes] . . . [t]he residual parental rights of [Ayers] to a sibling have previously been involuntarily terminated," and the final order invokes Code § 16.1-283(E)(i) as a

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

basis for terminating Ayers' parental rights. The order also finds that termination is in the best interests of the minor child. On this appeal, however, Ayers presents no argument that the trial judge erred in terminating her parental rights pursuant to Code § 16.1-283(E)(i) (providing for termination of parental rights when "the residual parental rights of the parent regarding a sibling of the child have previously been involuntarily terminated"). When an appellant fails to contest a trial judge's termination of parental rights under one subdivision of Code § 16.1-283, we will not consider whether the evidence sufficiently supported termination under alternative subdivisions of the statute. Fields v. Dinwiddie County Dep't of Soc. Servs., 46 Va. App. 1, 8, 614 S.E.2d 656, 659 (2005). Accordingly, we summarily affirm the decision terminating Ayers' parental rights. See Rule 5A:27.

Affirmed.