



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-13-00524-CV

**IN THE INTEREST OF J.N.M., N.I.M., G.L.M., and H.Y.M., Children**

From the 45th Judicial District Court, Bexar County, Texas  
Trial Court No. 2011-PA-02633  
Honorable Richard Garcia, Judge Presiding<sup>1</sup>

Opinion by: Marialyn Barnard, Justice

Sitting: Karen Angelini, Justice  
Marialyn Barnard, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: December 18, 2013

**MOTION TO WITHDRAW GRANTED; AFFIRMED**

Appellant mother, Melissa R., appeals the trial court's judgment terminating her parental rights to her children, J.N.M., N.I.M., G.L.M., and H.Y.M. The Texas Department of Family and Protective Services ("the Department") moved to have appellant's parental rights terminated on a variety of grounds. *See* TEX. FAM. CODE ANN. §§ 161.001(1)(A)-(F), (K), (N)-(Q); 161.003(a) (West 2008 & Supp. 2012). After a bench trial, the trial court found appellant's parental rights should be terminated because she failed to comply with the provision of a court order that established the actions necessary for her to obtain the return of her children. *See* TEX. FAM. CODE

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<sup>1</sup> The Honorable Barbara Nellermoe is the presiding judge of the 45th Judicial District Court of Bexar County, Texas. The termination order was signed by Associate Judge Richard Garcia.

ANN. § 161.001(1)(O). The trial court also determined termination would be in the best interests of the children. *Id.* § 161.001(2).

Appellant's court-appointed appellate attorney has filed a motion to withdraw and a brief containing a professional evaluation of the record demonstrating there are no arguable grounds to be advanced and concluding the appeal is frivolous. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967). See *In re R.R.*, No. 04-03-00096-CV, 2003 WL 21157944, \*4 (Tex. App.—San Antonio May 21, 2003, order) (applying *Anders* procedure to appeals from orders terminating parental rights), *disp. on merits*, 2003 WL 22080522 (Tex. App.—San Antonio Sept. 10, 2003, no pet.) (mem. op.). Appellant was provided a copy of the brief and informed of her right to file her own brief. See *Nichols v. State*, 954 S.W.2d 83, 85-86 (Tex. App.—San Antonio July 23, 1997, no pet.); *In re R.R.*, 2003 WL 21157944, at \*4. Appellant did not file a *pro se* brief.

We have reviewed the record and the attorney's brief and we agree with counsel that the appellate points do not present a substantial question for appellate review. Accordingly, we hold the trial court did not err in terminating appellant's parental rights. We grant the motion to withdraw and affirm the trial court's judgment.

Marialyn Barnard, Justice