

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00131-CV

IN THE INTEREST OF J.G.

On Appeal from the 258th District Court
San Jacinto County, Texas
Trial Cause No. CV14,203

MEMORANDUM OPINION

Appellants C.M. and J.G. appeal from the trial court's order terminating their parental rights to the minor child, J.G. The trial court found by clear and convincing evidence that termination of the parental rights of C.M. and J.G. was in the best interest of the child and that C.M. and J.G. violated subsections (N), (O), and (P) of section 161.001(b)(1) of the Texas Family Code. After the final hearing, the trial court ordered the parental rights of C.M. and J.G. terminated.

Court-appointed counsel for both C.M. and J.G. each filed an *Anders* brief stating their professional opinion that no arguable grounds of error existed. *See*

Anders v. California, 386 U.S. 738 (1967); see also *In re L.D.T.*, 161 S.W.3d 728, 731 (Tex. App.—Beaumont 2005, no pet.) (holding that “when appointed counsel represents an indigent client in a parental termination appeal and concludes that there are no non-frivolous issues for appeal, counsel may file an *Anders* brief”); *Taylor v. Tex. Dep't of Protective & Regulatory Servs.*, 160 S.W.3d 641, 646–47 (Tex. App.—Austin 2005, pet. denied) (applying *Anders* procedure in appeal from an order terminating parental rights. We granted an extension to both appellants to allow time to file a *pro se* brief, but neither appellant filed a brief.

When faced with an *Anders* brief and if a later *pro se* brief is filed, the court of appeals has two choices: (1) it may determine that the appeal is wholly frivolous and issue an opinion explaining that it has reviewed the record and finds no reversible error, or (2) it may determine that arguable grounds for appeal exist and remand the cause to the trial court so that new counsel may be appointed to brief the issues. *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005).

We have independently reviewed the clerk’s record, the reporter’s record, and the *Anders* briefs, and we agree with appellate counsels’ contention that no arguable issues support an appeal by C.M. or J.G. *See id.* Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeal of either C.M. or J.G. *See id.*

We affirm the trial court's order terminating the parental rights of C.M. and J.G., and we grant the motions to withdraw filed by counsel for C.M. and J.G.¹

AFFIRMED.

CHARLES KREGER
Justice

Submitted on October 18, 2016
Opinion Delivered October 20, 2016

Before McKeithen, C.J., Kreger and Horton, JJ.

¹ In connection with withdrawing from the case, counsel shall inform C.M. and J.G. of the result of this appeal and that C.M. and J.G. have a right to file a petition for review with the Texas Supreme Court. *See* Tex. R. App. P. 53; *In the Interest of K.D.*, 127 S.W.3d 66, 68 n.3 (Tex. App.—Houston [1st Dist. 2003, no pet.).