



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-16-00372-CV

IN THE INTEREST OF T.J.-F.,
A.J.-F., R.J.-F., AND K.J.-D.,
CHILDREN

FROM THE 323RD DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. 323-102062-15

MEMORANDUM OPINION¹

Appellants C.J. (Mother) and R.D. (Father) appeal the trial court's order terminating C.J.'s parental rights to her children T.J.-F, A.J.-F, R.J.-F, and K.J.-D and terminating R.D.'s parental rights to his child K.J.-D. As to both Mother and Father, the trial court found by clear and convincing evidence that termination was appropriate under subsections (D) and (E) of family code section

¹See Tex. R. App. P. 47.4.

161.001(b)(1) and that termination was in the children's best interests. See Tex. Fam. Code Ann. § 161.001(b)(1)(D), (E), (2) (West Supp. 2016).

Both Mother's and Father's court-appointed appellate attorneys have filed motions to withdraw as counsel and briefs in support of those motions, averring that after diligently reviewing the record, they believe that the appeals are frivolous. See *Anders v. California*, 386 U.S. 738, 744–45, 87 S. Ct. 1396, 1400 (1967); see also *In re K.M.*, 98 S.W.3d 774, 776–77 (Tex. App.—Fort Worth 2003, no pet.) (holding that *Anders* procedures apply in parental termination cases). The briefs meet the requirements of *Anders* by presenting a professional evaluation of the record and demonstrating why there are no arguable grounds to be advanced on appeal. Although given the opportunity, neither Mother nor Father filed responses.

As the reviewing appellate court, we must independently examine the record to decide whether the attorneys are correct in determining that the appeals are frivolous. See *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991); *In re K.R.C.*, 346 S.W.3d 618, 619 (Tex. App.—El Paso 2009, no pet.). Having carefully reviewed the record and the *Anders* briefs, we agree that the appeals are frivolous. We find nothing in the record that might arguably support either appellant's appeal. See *Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App. 2005). Therefore, we affirm the trial court's order terminating the parent-child relationship between Mother and the children and between Father and K.J.-D. However, we deny the motions to withdraw because they do

not show “good cause” separate and apart from their accurate determination that there are no arguable grounds for appeal. See *In re P.M.*, No. 15-0171, 2016 WL 1274748, at *3 (Tex. Apr. 1, 2016) (holding that the right to counsel under family code section 107.013(a)(1) extends to proceedings in the supreme court and that in the absence of additional grounds for withdrawal, an *Anders* motion to withdraw brought in the court of appeals may be premature); *In re C.J.*, 501 S.W.3d 254, 255 (Tex. App.—Fort Worth 2016, pets. denied).

/s/ Bill Meier
BILL MEIER
JUSTICE

PANEL: LIVINGSTON, C.J.; MEIER and SUDDERTH, JJ.

DELIVERED: January 19, 2017