

NO. 07-09-0216-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
OCTOBER 28, 2009

In the Interest of N.J.N., A Child

FROM THE 64th DISTRICT COURT OF HALE COUNTY;
NO. A35860-0801-A; HON. ED SELF, PRESIDING

Memorandum Opinion

Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

Ignacio Navarro appeals from a final judgment terminating his parental rights to his daughter and claims the evidence is legally insufficient to support the decision. We affirm the order.

The State argues that we should not review appellant's issues because he failed to file a statement of the points he intended to raise on appeal as required by §263.405 of the Family Code. According to subsection (i) of that section, an appellate court may not consider any issue that was not specifically presented to the trial court in a timely filed statement of points on which the party intends to appeal or in a statement combined with a motion for new trial. TEX. FAM. CODE ANN. §263.405(i) (Vernon 2008). The record contains no statement of points either in its own document or one combined in a motion

for new trial. Neither has appellant presented a claim of ineffective assistance of counsel or raised any constitutional issues regarding the application of §263.405(i). Thus, neither of those matters are before us despite the absence of a statement of points. See *In the Interest of J.O.A.*, 283 S.W.3d 336, 339 (Tex. 2009); *In the Interest of Z.J.C.*, No. 10-09-0026-CV, 2009 Tex. App. LEXIS 5628 at *2 (Tex. App.–Waco July 22, 2009, no pet.). Therefore, appellant has presented nothing for our review.

Accordingly, the order of termination is affirmed.

Brian Quinn
Chief Justice