

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-22-00262-CV**

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**C. R., Appellant**

**v.**

**Texas Department of Family and Protective Services, Appellee**

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**FROM THE 419TH DISTRICT COURT OF TRAVIS COUNTY  
NO. D-1-FM-20-004849, THE HONORABLE JAN SOIFER, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

C.R. appeals from the trial court’s final decree terminating his parental rights to his child. *See* Tex. Fam. Code § 161.001. Following a jury trial, the trial court rendered judgment on the jury’s verdict, finding by clear and convincing evidence that several statutory grounds existed for terminating C.R.’s parental rights and that termination of those rights was in the child’s best interest. *See id.* § 161.001(b)(1)(E), (O), (2).

On appeal, C.R.’s court-appointed attorney has filed an *Anders* brief concluding that his appeal is frivolous and without merit. *See Anders v. California*, 386 U.S. 738, 744 (1967); *In re P.M.*, 520 S.W.3d 24, 27 (Tex. 2016) (per curiam) (approving use of *Anders* procedure in appeal from termination of parental rights). The brief meets 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. *See* 386 U.S. at 744; *Taylor v. Texas Dep’t of Protective & Regulatory Servs.*, 160 S.W.3d 641, 646-47 (Tex. App.—Austin 2005, pet. denied).

C.R.'s counsel has certified to this Court that she has provided C.R. with copies of the *Anders* brief, the clerk's record, and the reporter's record and that she has advised C.R. of his right to file a pro se brief. To date, C.R. has not filed a pro se brief. The Department of Family and Protective Services has a filed a response, stating that it will not file a brief unless requested by this Court.

Upon receiving an *Anders* brief, we must conduct a full examination of the record to determine whether the appeal is wholly frivolous. *Penson v. Ohio*, 488 U.S. 75, 80 (1988); *Taylor*, 160 S.W.3d at 647. We have conducted an independent review of the entire record, including the *Anders* brief submitted on C.R.'s behalf, and have found nothing in the record that might arguably support an appeal. Our review included the trial court's endangerment finding under part (E) of Section 161.001(b)(1) of the Family Code, and we have found no nonfrivolous issues that could be raised on appeal with respect to that finding. *See In re N.G.*, 577 S.W.3d 230 237 (Tex. 2019). We agree that the appeal is frivolous and without merit. Accordingly, we affirm the trial court's final decree terminating C.R.'s parental rights.

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Chari L. Kelly, Justice

Before Justices Goodwin, Baker, and Kelly

Affirmed

Filed: October 19, 2022