

## ARKANSAS COURT OF APPEALS

DIVISION I  
No. CV-13-54

KENNETH BRIAN MARTIN

APPELLANT

V.

ARKANSAS DEPARTMENT OF  
HUMAN SERVICES AND MINOR  
CHILD

APPELLEES

Opinion Delivered November 6, 2013

APPEAL FROM THE BOONE  
COUNTY CIRCUIT COURT  
[NO. JV-10-100]

HONORABLE GARY ISBELL, JUDGE

AFFIRMED; MOTION GRANTED

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**PHILLIP T. WHITEAKER, Judge**

Kenneth Brian Martin appeals from an October 17, 2012 Boone County Circuit Court order terminating his parental rights to his daughter, N.M, born November 24, 2008.<sup>1</sup> His attorney has filed a no-merit brief and a motion to withdraw as counsel, contending that there are no meritorious issues that could arguably support an appeal. We agree.

In compliance with *Linker-Flores v. Arkansas Department of Human Services*, 359 Ark. 131, 194 S.W.3d 739 (2004), and Rule 6-9(i) (2012) of the Rules of the Arkansas Supreme Court and Court of Appeals, Martin's counsel ordered the entire record and examined it for adverse rulings. Counsel listed the only adverse ruling in this case—the trial court's decision

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<sup>1</sup>The trial court also terminated the parental rights of N.M.'s mother, Leah Dossey Martin. She did not appear at the termination hearing and has not appealed the termination of her parental rights.

to terminate Martin's parental rights—and has adequately discussed why there is no arguable merit to an appeal. Martin was provided a copy of his counsel's brief and motion, and he was informed of his right to file pro se points. He did not do so. Neither the Arkansas Department of Human Services nor the attorney ad litem filed a responsive brief.

After carefully examining the record and the no-merit brief, we hold that Martin's counsel has complied with the requirements for no-merit parental-termination appeals and that the appeal is wholly without merit. Accordingly, by memorandum opinion we affirm the termination of Martin's parental rights to N.M. *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985); Ark. Sup. Ct. R. 5-2(e) (2012). We also grant counsel's motion to withdraw from representation of Martin.

Affirmed; motion granted.

HARRISON and GRUBER, JJ., agree.

*Leah Lanford*, Arkansas Public Defender Commission, for appellant.

No response.