

Commonwealth of Kentucky
Court of Appeals

NO. 2020-CA-1063-ME

T.E.C.

APPELLANT

v.

APPEAL FROM WEBSTER CIRCUIT COURT
HONORABLE BRANDI H. ROGERS, JUDGE
ACTION NO. 19-AD-00009

COMMONWEALTH OF KENTUCKY,
CABINET FOR HEALTH AND
FAMILY SERVICES; G.R.C., A
CHILD; JANE DOE; JOHN DOE; AND
K.N.C.

APPELLEES

AND
NO. 2020-CA-1064-ME

T.E.C.

APPELLANT

v.

APPEAL FROM WEBSTER CIRCUIT COURT
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ACTION NO. 19-AD-00010

COMMONWEALTH OF KENTUCKY,
CABINET FOR HEALTH AND
FAMILY SERVICES; A.E.C., A
CHILD; JANE DOE; JOHN DOE; AND
K.N.C.

APPELLEES

OPINION
AFFIRMING

** ** *

BEFORE: ACREE, CALDWELL, AND LAMBERT, JUDGES.

ACREE, JUDGE: T.E.C. appeals the Webster Family Court’s July 28, 2020, orders terminating his parental rights relative to his biological children, A.E.C. and G.R.C. We affirm.

In accordance with *A.C. v. Cabinet for Health and Family Services*, 362 S.W.3d 361 (Ky. App. 2012), counsel for Appellant filed a notice of appeal and, subsequently, filed an *Anders*-type¹ brief reaching the conclusion that no meritorious claim of error exists that would justify reversal of the order or orders terminating parental rights in this case. Counsel accompanied the brief with a motion to withdraw, which was passed to this merits panel. After careful review, we grant counsel’s motion to withdraw by separate order and affirm the family court’s order terminating Appellant’s parental rights.

Pursuant to *A.C.*, the function of this Court is “to independently review the record and ascertain whether the appeal is, in fact, void of nonfrivolous grounds for reversal.” *A.C.*, 362 S.W.3d at 372. Such review is analogous to a

¹ *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967).

palpable error review, requiring only that we ascertain whether any error affects the substantial rights of a party. *Id.* at 370.

If such a review results in the Court's agreement with an appellant's counsel that there is no nonfrivolous ground for appealing the termination of parental rights, it is appropriate to affirm the trial court. There is no need to burden the opinion with a recitation of the facts or reiteration of legal principles that can be found in the statutes and in an abundance of appellate opinions.

The Court in the case now before it has undertaken the appropriate review and agrees with counsel for Appellant that there is no nonfrivolous ground that would justify reversal of the trial court.

Therefore, we affirm the July 28, 2020, orders of the Webster Family Court terminating Appellant's parental rights to the children, A.E.C. and G.R.C.

ALL CONCUR.

BRIEF FOR APPELLANT:

Cobie D. Evans
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BRIEF FOR APPELLEE
COMMONWEALTH OF
KENTUCKY, CABINET FOR
HEALTH AND FAMILY
SERVICES:

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