



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

IN THE INTEREST OF:	§	No. 08-22-00027-CV
C.A.S., Jr. and S.E.R.S.,	§	Appeal from the
Minor Children.	§	109th District Court
	§	of Andrews County, Texas
	§	(TC# 21,851)

MEMORANDUM OPINION

Mother W.R.¹ appeals a trial court judgment terminating her parental rights to children C.A.S., Jr. and S.E.R.S. We affirm the judgment of the trial court.

Mother is represented on appeal by court-appointed counsel who has filed a brief in accordance with the requirements of *Anders v. California*, 386 U.S. 738, 741-44 (1967). Court-appointed counsel has concluded that, after a thorough review of the record, Mother's appeal is frivolous and without merit. Mother was notified of the filing of the brief and given an opportunity to file her own brief.

In *Anders*, the Supreme Court recognized that counsel, though appointed to represent the appellant in an appeal from a criminal conviction, had no duty to pursue a frivolous matter on

¹ We refer to the parties by aliases. See TEX.R.APP.P. 9.8(b)(2).

appeal. *Anders*, 386 U.S. at 744. Thus, counsel was permitted to withdraw after informing the court of his conclusion and the effort made in arriving at that conclusion. *Id.* The procedures set forth in *Anders* apply to an appeal from a case involving the termination of parental rights when court-appointed counsel has determined that the appeal is frivolous. *See In re P.M.*, 520 S.W.3d 24, 27 n.10 (Tex. 2016) (per curiam) (recognizing that *Anders* procedures apply in parental termination cases); *In re J.B.*, 296 S.W.3d 618, 619 (Tex.App.--El Paso 2009, no pet.).

Counsel's brief meets the requirements of *Anders* by containing a professional evaluation of the record and demonstrating that there are no arguable grounds for reversal of the termination order. Upon receiving an *Anders* brief, we are required to conduct a full examination of all the proceedings to determine whether the appeal is wholly frivolous. *Penson v. Ohio*, 488 U.S. 75, 80 (1988). We have thoroughly reviewed the entire record, including the *Anders* brief, and we have found nothing that would arguably support an appeal. We agree with counsel's professional assessment that the appeal is frivolous and without merit. Because there is nothing in the record that might arguably support the appeal, the final order terminating Mother's parental rights is affirmed.

The Texas Supreme Court has determined that the right to counsel in suits seeking the termination of parental rights extends to all proceedings in the Texas Supreme Court, including the filing of a petition for review. *In re P.M.*, 520 S.W.3d at 27; *see* TEX.FAM.CODE ANN. § 107.016(2). Accordingly, counsel's obligations to W.R. have not yet been discharged. *See In re P.M.*, 520 S.W.3d at 27. In the event Mother advises appointed counsel that she wishes to challenge our decision by filing a petition for review, "counsel's obligations can be satisfied by filing a petition for review that satisfies the standards for an *Anders* brief." *Id.* at 27-28.

The judgment of the trial court is affirmed in all respects.

JEFF ALLEY, Justice

June 2, 2022

Before Rodriguez, C.J., Palafox, and Alley, JJ.