

Opinion filed January 3, 2014



In The

Eleventh Court of Appeals

No. 11-13-00231-CV

IN THE INTEREST OF A.L.M. AND J.J.A., CHILDREN

On Appeal from the 161st District Court

Ector County, Texas

Trial Court Cause No. B-3219-PC

MEMORANDUM OPINION

This is an appeal from an order terminating the parental rights of the mother and the fathers of A.L.M. and J.J.A. The mother filed a notice of appeal. We dismiss the appeal.

The mother's court-appointed counsel has filed a motion to withdraw and a supporting brief in which she professionally and conscientiously examines the record and applicable law and states that she has concluded that the appeal is frivolous. Counsel has provided the mother with a copy of the motion to withdraw and brief and advised the mother of her right to review the record and file a

response to counsel's brief. The mother has not filed a response.¹ Court-appointed counsel has complied with the requirements of *Anders v. California*, 386 U.S. 738 (1967), and *In re Schulman*, 252 S.W.3d 403 (Tex. Crim. App. 2008). In this regard, the practice recognized in *Anders* for court-appointed counsel to seek a withdrawal from a frivolous appeal applies to parental termination proceedings involving appointed counsel. See *In re K.D.*, 127 S.W.3d 66, 67 (Tex. App.—Houston [1st Dist.] 2003, no pet.).

Following the procedures outlined in *Anders* and *Schulman*, we have independently reviewed the record, and we agree that the appeal is without merit and should be dismissed. *Schulman*, 252 S.W.3d at 409. Court-appointed counsel's motion to withdraw is granted. Additionally, we order counsel to notify the mother of the disposition of this appeal and the availability of discretionary review in the Texas Supreme Court. Counsel is directed to send the mother a copy of the opinion and judgment within five days after the opinion is handed down, along with notification of her right to file a pro se petition for review under TEX. R. APP. P. 53. Likewise, this court advises the mother that she may file a petition for review pursuant to TEX. R. APP. P. 53.

The motion to withdraw is granted, and the appeal is dismissed.

PER CURIAM

January 3, 2014

Panel consists of: Wright, C.J.,
Willson, J., and Bailey, J.

¹By letter, this court granted the mother more than thirty days in which to exercise her right to file a response to counsel's motion to withdraw and brief.