

AFFIRMED; Opinion Filed October 9, 2014.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-14-00477-CV

IN THE INTEREST OF: Z.C.S., A CHILD

**On Appeal from the 15th Judicial District Court
Grayson County, Texas
Trial Court Cause No. FA-12-2032**

MEMORANDUM OPINION

Before Justices O'Neill, FitzGerald, and Stoddart
Opinion by Justice Stoddart

Appellant Code Shane Brummett appeals the trial court's final order terminating his parental rights of his minor child, Z.C.S. Appellant's appointed counsel filed a motion to withdraw, along with an *Anders* brief asserting the appeal is without merit and there are no arguable grounds for reversal. *See Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396 (1967). We affirm the trial court's judgment and grant counsel's motion to withdraw.

The procedures set forth in *Anders* are applicable to an appeal from a trial court's order terminating parental rights when, as here, appellant's appointed counsel concludes there are no non-frivolous issues to assert on appeal. *See In re D.D.*, 279 S.W.3d 849, 849–50 (Tex. App.—Dallas 2009, pet. denied); *In re D.E.S.*, 135 S.W.3d 326, 329 (Tex. App.—Houston [14th Dist.] 2004, no pet.); *In re K.D.*, 127 S.W.3d 66, 67 (Tex. App.—Houston [1st Dist.] 2003, no pet.). A court of appeals is not required to address the merits of claims raised in an *Anders* brief. *See In re D.D.*, 279 S.W.3d at 850 (citing *Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App.

2005)). Rather, this Court's duty is to determine whether there are any arguable grounds and, if so, to remand the case to the trial court so new counsel may be appointed to address the issues.

See id.

Counsel for appellant has filed an *Anders* brief in which she concludes that, after a thorough review of the record, appellant's appeal of the termination of his parental rights is frivolous and without merit. *See Anders*, 386 U.S. at 744; *In re D.E.S.*, 135 S.W.3d at 327, 330; *In re K.D.*, 127 S.W.3d at 67. Counsel has certified that she delivered a copy of the brief to appellant and has informed appellant of his right to examine the appellate record and to file a response. *See In re D.D.*, 279 S.W.3d at 850. Appellant did not file a pro se response.

We have independently reviewed the entire record and counsel's *Anders* brief. We agree with counsel's assessment that the appeal is frivolous and without merit. We find nothing in the record that could arguably support the appeal. Accordingly, we affirm the trial court's final order terminating appellant's parental rights to his child and grant counsel's motion to withdraw. *See In re D.D.*, 279 S.W.3d at 850.

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/ Craig Stoddart/
CRAIG STODDART
JUSTICE



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

IN THE INTEREST OF: Z.C.S., A CHILD

No. 05-14-00477-CV

On Appeal from the 15th Judicial District
Court, Grayson County, Texas

Trial Court Cause No. FA-12-2032.

Opinion delivered by Justice Stoddart.

Justices O'Neill and FitzGerald participating.

In accordance with this Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

It is **ORDERED** that each party bear its own costs of this appeal.

Judgment entered this 9th day of October, 2014.