

Opinion issued July 30, 2015



In The
Court of Appeals
For The
First District of Texas

NO. 01-15-00195-CV

IN THE INTEREST OF A.H.G., a Child

**On Appeal from the 308th District Court
Harris County, Texas
Trial Court Case No. 2008-32527**

MEMORANDUM OPINION

Appellant, N.G., challenges the trial court's final order terminating her parental rights to her minor child. Appellant's appointed counsel has filed a motion to withdraw and an *Anders* brief, asserting that 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, the appellant's appointed appellate counsel concludes that there are no non-frivolous issues to assert on appeal. *In re K.D.*, 127 S.W.3d 66, 67 (Tex. App.—Houston [1st Dist.] 2003, no pet.).

Counsel has filed an *Anders* brief in which she concludes that, after a thorough review of the record, appellant's appeal of the termination of her parental rights is frivolous and without merit. *See Anders*, 386 U.S. at 744, 87 S. Ct. at 1400; *In re K.D.*, 127 S.W.3d at 67. Counsel's brief meets the minimum *Anders* requirements by presenting a professional evaluation of the record and stating why there are no arguable grounds for reversal on appeal. *See Anders*, 386 U.S. at 744, 87 S.Ct. at 1400. Counsel has certified that she delivered a copy of the brief to appellant and has informed appellant of her right to obtain a copy of, and examine, the appellate record and file a response. *See In re K.D.*, 127 S.W.3d at 67. Additionally, this Court has notified appellant of her right to review the record and file a pro se response. Appellant has not filed a response.

When we receive an *Anders* brief from an appellant's appointed attorney who asserts that no arguable grounds for appeal exist, we must determine that issue

independently by conducting our own review of the entire record. *Johnson v. Dep't of Family & Protective Servs.*, No. 01-08-00749-CV, 2010 WL 5186806, at *1 (Tex. App.—Houston [1st Dist.] Dec. 23, 2010, no pet.) (mem. op.); *see In re K.D.*, 127 S.W.3d at 67. We have independently reviewed the entire record and counsel's *Anders* brief and agree with counsel's assessment that the appeal is frivolous and without merit.

Accordingly, we affirm the judgment of the trial court and grant counsel's motion to withdraw.¹ Attorney, Lana Shadwick, must immediately send appellant the required notice and file a copy of the notice with the Clerk of this Court. *See* TEX. R. APP. P. 6.5(c).

PER CURIAM

Panel consists of Justices Keyes, Huddle, and Lloyd.

¹ Appointed counsel still has a duty to inform appellant of the result of this appeal and notify appellant that she may, on her own, pursue a petition for review in the Supreme Court of Texas. *See In re K.D.*, 127 S.W.3d 66, 68 n.3 (Tex. App.—Houston [1st Dist.] 2003, no pet.).