

*Court Of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-08-00011-CV

In the **INTEREST OF L.J.** and J.D.G.

From the 166th Judicial District Court, Bexar County, Texas  
Trial Court No. 2006-PA-01578  
Honorable, Lori Massey, Judge Presiding<sup>1</sup>

Opinion by: Steven C. Hilbig, Justice

Sitting: Sandee Bryan Marion, Justice  
Phylis J. Speedlin, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: August 13, 2008

**AFFIRMED**

Erica J. appeals the trial court's judgment terminating her parental rights to her children L.J. and J.D.G. and the court's order finding her appellate points frivolous. *See* TEX. FAM. CODE ANN. § 263.405( d)(3) (Vernon Supp. 2007). Appellant's court-appointed appellate attorney filed a motion to withdraw and a brief containing a professional evaluation of the record demonstrating there are no arguable grounds to be advanced and concluding the appeal is frivolous. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967). *See In re R.R.*, No. 04-03-00096-CV, 2003 WL 21157944, \*4 (Tex. App.–San Antonio May 21, 2003, order) (applying *Anders*

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<sup>1</sup>The Honorable Charles E. Montemayor, Associate Judge, presided over the trial of this matter and recommended the order of termination. The Honorable Lori Massey, presiding judge of the 288th Judicial District Court, Bexar County, Texas, approved and signed the order of termination.

procedure to appeals from orders terminating parental rights), *disp. on merits*, 2003 WL 22080522 (Tex. App.–San Antonio Sept. 10, 2003, no pet.) (mem. op.). Appellant was provided a copy of the brief and informed of her right to review the record and file her own brief. *See Nichols v. State*, 954 S.W.2d 83, 85-86 (Tex. App.–San Antonio, July 23, 1997, no pet.); *In re R.R.*, 2003 WL 21157944, at \*4. Appellant did not file a pro se brief.

We have reviewed the record and the attorney’s brief, and we agree with counsel that the appellate points do not present a substantial question for appellate review. *See* TEX. CIV. PRAC. & REM. CODE ANN. §13.003(b) (Vernon 2002); TEX. FAM. CODE ANN. § 263.405(d)(3) (incorporating section 13.003(b) by reference). Accordingly, we hold the trial court did not abuse its discretion in finding the points of appeal to be frivolous. We grant the motion to withdraw and affirm the trial court’s judgment.

Steven C. Hilbig, Justice