

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



MEMORANDUM OPINION

No. 04-08-00795-CV

IN THE INTEREST OF M.B., III, et al., Children,
Appellant

From the 131st Judicial District Court, Bexar County, Texas
Trial Court No. 2007-PA-02231
Honorable Charles E. Montemayor, Judge Presiding

Opinion by: Rebecca Simmons, Justice

Sitting: Rebecca Simmons, Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: July 15, 2009

AFFIRMED

After the trial court terminated her parental rights, Monica C. appealed the trial court's finding that an appeal of the termination order would be frivolous. *See* TEX. FAM. CODE ANN. § 263.405(g) (Vernon 2002). Monica C's court-appointed appellate attorney filed a brief containing a professional evaluation of the record demonstrating that there are no arguable grounds to be advanced. Counsel concludes that the appeal is frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967); *see also In re R.R.*, No. 04-03-00096-CV, 2003 WL 21157944, at * 4 (Tex. App.—San Antonio May 21, 2003, no

pet.) (applying *Anders* procedure in appeal from termination of parental rights) (mem. op.); *In re K.M.*, 98 S.W.3d 774 (Tex. App.—Fort Worth 2003, order) (same).

Counsel certified that a copy of his brief was delivered to Monica C who was advised of her right to examine the record and to file a pro se brief. No pro se brief has been filed. After reviewing the record, we agree that the appeal is frivolous and without merit. The judgment of the trial court is, therefore, affirmed and counsel's motion to withdraw is granted.

Rebecca Simmons, Justice