



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-14-00317-CV

**IN THE INTEREST OF A.M., B.M., and E.M., Children**

From the 166th Judicial District Court, Bexar County, Texas  
Trial Court No. 2013-PA-00328  
Honorable Charles E. Montemayor, Judge Presiding

Opinion by: Patricia O. Alvarez, Justice

Sitting: Marialyn Barnard, Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: September 17, 2014

**AFFIRMED**

Appellant Henry M. appeals the trial court's termination of his parental rights to his children A.M., B.M., and E.M. The trial court determined Appellant constructively abandoned his children and failed to comply with his court-ordered service plan. *See* TEX. FAM. CODE ANN. § 161.001(1)(N), (O) (West 2014). The court also determined that terminating Appellant's parental rights was in the children's best interests. *See id.* § 161.001(2).

Appellant's court-appointed attorney filed a brief containing a professional evaluation of the record. In the brief, counsel asserts he diligently reviewed the record but could not find "any point of error upon which a non-frivolous appeal might be based." Based on his review, counsel concludes the record supports the trial court's order.

Counsel's brief meets the requirements of *Anders v. California*, 386 U.S. 738, 744 (1967). See *In re D.D.*, 279 S.W.3d 849, 850 (Tex. App.—Dallas 2009, pet. denied) (applying *Anders* procedure in an appeal from termination of parental rights); *In re D.E.S.*, 135 S.W.3d 326, 329 (Tex. App.—Houston [14th Dist.] 2004, no pet.); *In re RR*, No. 04-03-00096-CV, 2003 WL 21157944, at \*4 (Tex. App.—San Antonio May 21, 2003, no pet.) (mem. op.). Counsel provided Appellant with a copy of the *Anders* brief and informed him of his right to review the record and file a pro se brief. Appellant has not filed a pro se brief.

After reviewing the record, we agree the appeal is frivolous and without merit. The trial court's order is affirmed; counsel's motion to withdraw is granted. See *Nichols v. State*, 954 S.W.2d 83, 85-86 (Tex. App.—San Antonio 1997, no pet.); *Bruns v. State*, 924 S.W.2d 176, 177 n.1 (Tex. App.—San Antonio 1996, no pet.).

Patricia O. Alvarez, Justice