



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00334-CV

IN THE INTEREST OF A.G.

From the 285th Judicial District Court, Bexar County, Texas
Trial Court No. 2013-PA-01507
Honorable Charles E. Montemayor, Associate Judge Presiding

Opinion by: Karen Angelini, Justice

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Santee Bryan Marion, Justice

Delivered and Filed: December 10, 2014

AFFIRMED

This is an accelerated appeal from an order terminating Appellant Debra O.'s parental rights.¹ Appellant's court-appointed appellate attorney filed a brief containing a professional evaluation of the record and demonstrating that there are no arguable grounds to be advanced. Counsel concluded that the appeal is frivolous and without merit. 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, at *4 (Tex. App.—San Antonio 2003, order) (applying *Anders* procedure in appeal from order terminating parental rights), *disp. on merits*, 2003 WL 22080522 (Tex. App.—San Antonio 2003, no pet.). Counsel certified that a copy of his brief was delivered to appellant. In

¹To protect the privacy of the parties in this case, we identify the children by their initials and the parents by their first names only. See TEX. FAM. CODE ANN. § 109.002(d) (West 2014).

compliance with the procedure set out in *Anders*, appellant's attorney showed that he sent a letter to appellant, which explained (1) her right to review the record and file a pro se brief, and (2) her right to file a pro se petition for discretionary review if this court determined the appeal was frivolous. *See Kelly v. State*, 436 S.W.3d 313, 320 (Tex. Crim. App. 2014). In the letter to appellant, counsel stated that he enclosed copies of the brief and motion to withdraw. *See id.* Further, counsel's letter advised appellant that if she wished to review the appellate record, she must file a motion in this court within ten days of receiving counsel's letter. *See id.* Counsel also enclosed a form motion for this purpose. *See id.* No timely request for the record was filed.

On September 25, 2014, we issued an order, stating that if appellant desired to file a pro se brief, she must do so by October 27, 2014. No pro se brief was filed. After reviewing the record, we agree that the appeal is frivolous and without merit.

The order of the trial court terminating appellant's parental rights is affirmed, and counsel's motion to withdraw is granted.

Karen Angelini, Justice