



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00355-CV

IN THE INTEREST OF N.A.S. Jr., B.R.S., and R.C.S., Children

From the 198th Judicial District Court, Bandera County, Texas
Trial Court No. FI-13-117
Honorable Stephen B. Ables, Judge Presiding¹

Opinion by: Marialyn Barnard, Justice

Sitting: Marialyn Barnard, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: September 10, 2014

MOTION TO WITHDRAW GRANTED; AFFIRMED

Appellant mother appeals the trial court's judgment terminating her parental rights to her children, N.A.S. Jr., B.R.S., and R.C.S. The Texas Department of Family and Protective Services ("the Department") moved to have appellant's parental rights terminated on a variety of grounds. *See* TEX. FAM. CODE ANN. §§ 161.001(1)(C)-(E), (K), (N)-(P) (West 2014). After a bench trial, the trial court found appellant's parental rights should be terminated because she executed an unrevoked or irrevocable affidavit of relinquishment of her parental rights pursuant to Chapter 161 of the Texas Family Code. *See* TEX. FAM. CODE ANN. § 161.001(1)(K). The trial court also determined termination would be in the best interest of the child. *Id.* § 161.001(2).

¹ The Honorable Stephen B. Ables, sitting by assignment, is the Presiding Judge of the Sixth Administrative Judicial Region. Judge Ables is the former judge of the 216th Judicial District Court of Kerr County, Texas.

Appellant's court-appointed appellate attorney has 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* 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 obtain a copy of the appellate 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. Appointed counsel provided appellant with a form which she could sign, date, and file with this court in order to obtain a copy of the record. See *Kelly v. State*, No. PD-0702-13, 2014 WL 2865901, at *4 (Tex. Crim. App. June 25, 2014). Appellant did not file the request for the record or 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. Accordingly, we hold the trial court did not err in terminating appellant's parental rights. We grant the motion to withdraw and affirm the trial court's judgment.

Marialyn Barnard, Justice