



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00608-CV

IN THE INTEREST OF J.C.R. and J.D.D., Children

From the 166th Judicial District Court, Bexar County, Texas
Trial Court No. 2013-PA-02092
Honorable Charles E. Montemayor, Judge Presiding¹

Opinion by: Marialyn Barnard, Justice

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

Delivered and Filed: February 4, 2015

MOTION TO WITHDRAW GRANTED; AFFIRMED

Appellant mother appeals the trial court's judgment terminating her parental rights to her children, J.C.R. and J.D.D. The Texas Department of Family and Protective Services ("the Department") moved to have appellant's parental rights terminated. After a bench trial, the trial court found mother's parental rights should be terminated because she violated various provisions of section 161.001(1) of the Texas Family Code. *See generally* TEX. FAM. CODE ANN. § 161.001(1) (West 2014). The trial court further determined termination would be in the best interests of the children pursuant to section 161.001(2). *Id.* § 161.001(2).

¹ The Honorable Laura Salinas is the judge of the 166th Judicial District Court, Bexar County, Texas. However, the order of termination was signed by Associate Judge Charles E. Montemayor.

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.). Mother 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 mother 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*, 436 S.W.3d 313, 319–20 (Tex. Crim. App. 2014). Mother filed neither a request for the record nor 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 mother's parental rights. We grant the motion to withdraw and affirm the trial court's judgment.

Marialyn Barnard, Justice