



## Fourth Court of Appeals San Antonio, Texas

### MEMORANDUM OPINION

No. 04-18-00652-CV

#### IN THE INTEREST OF J.T., a Child

From the 408th Judicial District Court, Bexar County, Texas  
Trial Court No. 2017-PA-01089  
Honorable Renée Yanta, Judge Presiding

Opinion by: Rebeca C. Martinez, Justice

Sitting: Rebeca C. Martinez, Justice  
Patricia O. Alvarez, Justice  
Irene Rios, Justice

Delivered and Filed: January 9, 2019

#### AFFIRMED

This is an appeal from the trial court's Order of Termination in which the trial court terminated appellant's parental rights. Appellant's court-appointed counsel filed a brief and motion to withdraw, concluding the appeal is 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 May 21, 2003, no pet.) (mem. op.) (applying *Anders* procedure in appeal from termination of parental rights). Counsel advised that appellant was sent a copy of the brief and a letter advising him of his rights to review the record and file a pro se brief. This court issued an order setting deadlines to request access to the record and to file a *pro se* brief and holding the motion to withdraw in abatement. The State waived its right to file an appellee's brief unless Appellant filed a *pro se* brief. Appellant has not requested the record or filed a brief.

After reviewing the record and counsel's brief, we agree the appeal is frivolous and without merit. *See Nichols v. State*, 954 S.W.2d 83, 85–86 (Tex. App.—San Antonio 1997, no writ). The judgment of the trial court is affirmed. We deny counsel's motion to withdraw because counsel does not assert any ground for withdrawal other than his conclusion that the appeal is frivolous. *See In re P.M.*, 520 S.W.3d 24, 27–28 (Tex. 2016) (holding that counsel's obligations in parental termination cases extend through the exhaustion or waiver of all appeals, including the filing of a petition for review in the Texas Supreme Court).

Rebeca C. Martinez, Justice