



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

MEMORANDUM OPINION

No. 04-22-00117-CV

IN THE INTEREST OF A.G., a Child

From the 73rd Judicial District Court, Bexar County, Texas
Trial Court No. 2020-PA-01479
Honorable Charles E. Montemayor, Judge Presiding

Opinion by: Luz Elena D. Chapa, Justice

Sitting: Luz Elena D. Chapa, Justice
Beth Watkins, Justice
Lori I. Valenzuela, Justice

Delivered and Filed: July 20, 2022

AFFIRMED; MOTION TO WITHDRAW DENIED

Appellant V.R. appeals the trial court's order terminating her parental rights to her child A.G.¹ The challenged order includes findings, by clear and convincing evidence, stating termination of V.R.'s parental rights is in A.G.'s best interest and supported by three independent grounds listed in section 161.001(b)(1) of the Texas Family Code.² The trial court's order also designates the Texas Department of Family and Protective Services as the child's permanent managing conservator. V.R. timely appealed the order.

¹ To protect the identity of the minor child, we refer to the parent and child by their initials. See TEX. FAM. CODE § 109.002(d); TEX. R. APP. P. 9.8.

² TEX. FAM. CODE § 161.001(b)(1)(N) (constructively abandoned child); (O) (failed to comply with court ordered services); (P) (continued to abuse a controlled-substance after completion of drug treatment program).

V.R.'s court-appointed appellate attorney filed an *Anders* brief containing a professional evaluation of the record and concluding there are no arguable issues to be raised on appeal. *See Anders v. California*, 386 U.S. 738, 742–44 (1967); *In re P.M.*, 520 S.W.3d 24, 27 n.10 (Tex. 2016) (per curiam) (stating that *Anders* procedures protect indigent parents' statutory right to counsel on appeal in parental rights termination cases and apply in those cases). Counsel also filed a motion to withdraw explaining he sent a letter to V.R. enclosing copies of the brief and motion to withdraw. *See Kelly v. State*, 436 S.W.3d 313, 319 (Tex. Crim. App. 2014); *In re A.L.H.*, No. 04-18-00153-CV, 2018 WL 3861695, at *2 (Tex. App.—San Antonio Aug. 15, 2018, no pet.) (mem. op.). The letter informed V.R. of her right to review the record and to file a pro se brief. The letter also advised V.R. if she wanted to review the record, she must file a motion in this court. Counsel further provided V.R. with a form to request access to the record. We issued an order setting a deadline for V.R. to file a pro se brief. V.R. did not request access to the record and did not file a pro se brief. After thoroughly reviewing the record and counsel's *Anders* brief, we conclude the brief satisfies the requirements of *Anders v. California* and there are no arguable grounds for appeal. *See Anders*, 386 U.S. at 742-44 (1967); *P.M.*, 520 S.W.3d at 27. Therefore, we affirm the trial court's termination order.

In support of his motion to withdraw, counsel asserts the appeal is frivolous and he has complied with the requirements for an *Anders* brief. After reviewing the motion, we conclude the stated bases do not rise to good cause for withdrawal. Counsel's duty to his client extends through the exhaustion or waiver of all appeals, including the filing of a petition for review in the Texas Supreme Court. *See TEX. FAM. CODE* § 107.016(2); *P.M.*, 520 S.W.3d at 26-28. We therefore deny the motion to withdraw. *See TEX. FAM. CODE* § 107.016(2); *P.M.*, 520 S.W.3d at 26-28.

Luz Elena D. Chapa, Justice