

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-19-00266-CV

IN THE INTEREST OF A.N.

On Appeal from the 253rd District Court
Liberty County, Texas
Trial Cause No. CV1812859

MEMORANDUM OPINION

B.N. appeals from an order terminating her parental rights to her son, A.N.^{1,2} The trial court found by clear and convincing evidence that statutory grounds exist for termination of B.N.'s parental rights, and termination of her rights would be in A.N.'s best interest. *See* Tex. Fam. Code. Ann. § 161.001(b)(1)(E). Appellant's

¹ We identify minors in appeals in parental-rights termination cases by using an alias to protect the minor's identity and all members of the child's family. *See* Tex. R. App. P. 9.8(a), (b).

² R.N., A.N.'s father, did not appear at trial and does not appeal the termination of his parental rights.

court-appointed counsel submitted a brief in which counsel contends there are no meritorious grounds to be advanced on appeal. *See Anders v. California*, 386 U.S. 738, 744 (1967); *In re L.D.T.*, 161 S.W.3d 728, 731 (Tex. App.—Beaumont 2005, no pet.). The brief provides counsel’s professional evaluation of the record. Counsel certified Appellant was served with a copy of the *Anders* brief filed on her behalf. This Court notified Appellant of her right to file a *pro se* response, as well as the deadline for filing the response. B.N. filed a *pro se* letter in response to counsel’s *Anders* brief but failed to raise any issues challenging the trial court’s termination. We have independently reviewed the appellate record, counsel’s brief, and B.N.’s *pro se* response, and we agree any appeal would be frivolous. We find no arguable error requiring us to appoint new counsel to re-brief this appeal. *Cf. Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991).

Accordingly, we affirm the trial court’s order terminating B.N.’s parental rights. We deny the motion to withdraw filed by B.N.’s court-appointed appellate counsel, because an attorney’s duty extends through the exhaustion or waiver of all appeals. *See Tex. Fam. Code Ann. § 107.016(3)(B); In re P.M.*, 520 S.W.3d 24, 27 (Tex. 2016). In the event B.N. decides to pursue an appeal to the Supreme Court of Texas, counsel’s obligations to B.N. can be met “by filing a petition for review that satisfies the standards for an *Anders* brief.” *See In re P.M.*, 520 S.W.3d at 27–28.

AFFIRMED.

CHARLES KREGER
Justice

Submitted on October 22, 2019
Opinion Delivered November 7, 2019

Before McKeithen, C.J., Kreger and Horton, JJ.