



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-22-00083-CV

IN THE INTEREST OF A.S., A CHILD

On Appeal from the 231st District Court
Tarrant County, Texas
Trial Court No. 231-699282-21

Before Womack, Wallach, and Walker, JJ.
Memorandum Opinion by Justice Walker

MEMORANDUM OPINION

Father appeals from the trial court's judgment terminating his parental rights to his child on the grounds that Father had endangered the child, had failed to comply with his court-ordered service plan, had failed to complete a court-ordered substance-abuse treatment program, and that termination was in the child's best interest.¹ *See* Tex. Fam. Code Ann. § 161.001(b)(1)(D), (E), (O), (P), (b)(2). We affirm.

Father's appointed appellate counsel filed an *Anders* brief stating that there are no arguable grounds for appeal. *See Anders v. California*, 386 U.S. 738, 744, 87 S. Ct. 1396, 1400 (1967); *see also In re K.M.*, 98 S.W.3d 774, 776–77 (Tex. App.—Fort Worth 2003, no pet.) (holding that *Anders* procedures apply in cases terminating parental rights). The brief meets the *Anders* requirements by presenting a professional evaluation of the record and demonstrating why there are no arguable grounds to be advanced on appeal. Further, Father's counsel (1) provided Father with a copy of the *Anders* brief, (2) informed Father of his rights to file a pro se response and to seek discretionary review from the supreme court, and (3) advised Father of his right to access the appellate record and provided to him a form motion for effectuating that purpose. *See Kelly v. State*, 436 S.W.3d 313, 319–20 (Tex. Crim. App. 2014). Father did not file a response, and the Texas Department of Family and Protective Services declined to file a brief.

¹The child's Mother also had her parental rights terminated but did not appeal the judgment.

When an *Anders* brief is filed, we must independently examine the record to determine if any arguable grounds for appeal exist. *In re C.J.*, 501 S.W.3d 254, 255 (Tex. App.—Fort Worth 2016, pets. denied). Our examination should consider the record, the briefs, and any pro se response. *In re L.B.*, No. 02-19-00407-CV, 2020 WL 1809505, at *1 (Tex. App.—Fort Worth Apr. 9, 2020, no pet.) (mem. op.).

After careful review, we agree with Father’s counsel that there are no arguable grounds for appeal in this case. We affirm the trial court’s judgment terminating Father’s parental rights. Father’s counsel remains appointed in this case through any proceedings in the supreme court unless otherwise relieved of these duties. *See In re P.M.*, 520 S.W.3d 24, 27 (Tex. 2016).

/s/ Brian Walker

Brian Walker
Justice

Delivered: August 4, 2022