



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-15-00233-CV

IN THE INTEREST OF K.N.M.M., A CHILD

On Appeal from the 100th District Court
Donley County, Texas
Trial Court No. DCPS-14-7079, Honorable Stuart Messer, Presiding

July 13, 2015

MEMORANDUM OPINION

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

Appellant, B.D.M., the father of K.N.M.M. appeals the trial court's judgment terminating his parental rights to K.N.M.M. B.D.M.'s appointed counsel has filed a brief in conformity with *Anders v. California* rendering his professional opinion that any issue that could be raised on appeal is frivolous and without legal merit. See 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967). B.D.M.'s counsel avers that he has zealously reviewed the record in this matter and can find no arguable points of appeal. Counsel has filed a motion to withdraw and provided B.D.M. with a copy of the brief. Further, counsel has advised B.D.M. that he has the right to file a *pro se* response to the *Anders* brief. The Court has likewise advised B.D.M. of this right. Additionally, B.D.M.'s

counsel has certified that he has provided appellant with a copy of the record to use in preparation of a *pro se response*. See *Kelly v. State*, 436 S.W.3d 313, 321-22 (Tex. Crim. App. 2014). B.D.M. has not favored the Court with a response.

This Court has long held that an appointed attorney in a termination case might discharge his professional duty to his client by filing a brief in conformity with the *Anders* process. See *In re A.W.T.*, 61 S.W.3d 87, 88-89 (Tex. App.—Amarillo 2001, no pet.). Likewise, other intermediate appellate courts have so held. See *Sanchez v. Tex. Dep't of Family and Protective Servs.*, No. 03-10-00249-CV, 2011 Tex. App. LEXIS 2162, at *1 (Tex. App.—Austin March 24, 2011, no pet.) (mem. op.); *In re L.K.H.*, No. 11-10-00080-CV, 2011 Tex. App. LEXIS 1706, at *2-4 (Tex. App.—Eastland March 10, 2011, no pet.) (mem. op.); *In re D.D.*, 279 S.W.3d 849, 849-50 (Tex. App.—Dallas 2009, pet. denied); *In re D.E.S.*, 135 S.W.3d 326, 326-27 (Tex. App.—Houston [14th Dist.] 2004, no pet.).

We have conducted our own review of the record in this matter and have come to the conclusion that there are no arguable points of appeal. See *In re A.W.T.*, 61 S.W.3d at 89. We, therefore, grant counsel's motion to withdraw. We remind counsel that B.D.M. has the right to file a *pro se* petition for review with the Texas Supreme Court. Finally, having found no arguable points of appeal requiring reversal, we affirm the judgment of the trial court.

Mackey K. Hancock
Justice