



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

No. 07-15-00442-CV

IN THE INTEREST OF D.E.B., S.B. & J.B., CHILDREN.

On Appeal from the Randall County Court at Law Number 1
Randall County, Texas
Trial Court No. 10,656-L1, Honorable James Anderson, Presiding

January 25, 2016

ORDER OF ABATEMENT AND REMAND

Before **CAMPBELL** and **HANCOCK** and **PIRTLE, JJ.**

In this appeal of an order in a suit filed by a governmental entity terminating the parental rights of the mother to D.E.B., S.B. and J.B., April Palmer, court-appointed counsel for the mother, has filed a motion to withdraw from the representation. Palmer represented the mother at various stages of the trial court proceedings and has not been relieved of her duties as the mother's counsel.¹ According to Palmer, her withdrawal from the representation ensures all appellate issues, including any claim that trial counsel was ineffective, will be sufficiently presented.

¹ See TEX. FAM. CODE ANN. § 107.016(2)(C) (West 2014).

We find good cause exists for Palmer's requested withdrawal from representation and she is relieved of her duties as the mother's appellate counsel.

We abate the appeal and remand the cause to the trial court for further proceedings. On remand the trial court shall utilize whatever means necessary to immediately determine:

1. whether the mother still desires to prosecute this appeal;
2. whether the mother remains indigent and entitled to court-appointed counsel on appeal; and
3. whether the mother desires appellate representation by court-appointed counsel.

Should the trial court determine the mother still desires to prosecute this appeal, is entitled to court-appointed counsel, and desires appellate representation by court-appointed counsel, it shall make the appointment of replacement counsel and supply the clerk of this court with new counsel's name, postal address, e-mail address, telephone number, and state bar number.

The trial court shall execute findings of fact and conclusions of law, and shall cause its findings, conclusions, and any necessary orders to be included in a supplemental clerk's record to be filed with the clerk of this court by February 3, 2016. The mother's appellate brief shall be filed on or before February 23, 2016.

It is so ordered.

Per Curiam