

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-13-00289-CV**

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**T. D. J. and E. L. M., II, Appellants**

**v.**

**Texas Department of Family and Protective Services, Appellee**

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**FROM THE DISTRICT COURT OF TOM GREEN COUNTY, 340TH JUDICIAL DISTRICT  
NO. C-12-0035-CPS, HONORABLE JAY K. WEATHERBY, JUDGE PRESIDING**

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**M E M O R A N D U M   O P I N I O N**

Appellants T.D.J. (hereinafter “Mother”) and E.L.M., II (hereinafter “Father”) filed this accelerated appeal from the district court’s final order terminating Mother’s parental rights to her minor children N.A.J., E.L.M., III, and C.D.M. and terminating Father’s parental rights to his minor children E.L.M., III and C.D.M. Mother’s court-appointed counsel filed a brief concluding that Mother’s appeal is frivolous and without merit. *See Anders v. California*, 386 U.S. 738 (1967) (court-appointed counsel who finds appeal to be wholly frivolous should so advise court and request permission to withdraw, which request should be accompanied by brief referring to anything in record that might arguably support appeal); *Taylor v. Texas Dep’t of Protective & Regulatory Servs.*, 160 S.W.3d 641, 646-47 (Tex. App.—Austin 2005, pet. denied) (applying *Anders* procedure in appeals from termination of parental rights). Father’s court-appointed counsel also filed a brief concluding that Father’s appeal is frivolous and without merit. *See id.* Counsel for Mother has

certified to this Court that she provided Mother a copy of the *Anders* brief addressing each respective ground for her appeal and notifying her of her right to examine the appellate record and file a pro se brief. Mother has not filed a pro se brief. Counsel for Father has also certified to this Court that he provided Father a copy of the *Anders* brief addressing each respective ground for his appeal and notifying him of his right to examine the appellate record and file a pro se brief. Father has not filed a pro se brief.

We have reviewed the record and counsels' briefs and have found nothing that would arguably support an appeal by either Mother or Father. We agree that Mother's and Father's appeal is frivolous and without merit. Finding nothing in the record that might arguably support an appeal we (1) grant Mother's counsel's motion to withdraw, (2) grant Father's counsel's motion to withdraw, and (3) affirm the order of termination.

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J. Woodfin Jones, Chief Justice

Before Chief Justice Jones, Justices Pemberton and Field

Affirmed

Filed: August 20, 2013