

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-17-00431-CV

S. B., Appellant

v.

Texas Department of Family and Protective Services, Appellee

**FROM THE DISTRICT COURT OF WILLIAMSON COUNTY, 425TH JUDICIAL DISTRICT
NO. 16-0065-425CPS, HONORABLE BETSY F. LAMBETH, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

Appellant filed her notice of appeal on June 26, 2017, complaining of the trial court's order terminating her parental rights signed June 12, 2017. On July 6, appellant filed a Statement of Inability to Afford Costs in this Court, stating that she had been deemed indigent at the beginning of the proceeding in the trial court and had been appointed counsel. She further stated that her appointed counsel was "substituted for private counsel who have not been paid." On that same day, appellant's attorneys filed a motion to withdraw, stating that they were unable to communicate effectively with appellant, that appellant had not complied with their engagement agreement, and that appellant both agreed to their withdrawal and was seeking alternative counsel.

We abate the proceeding to the trial court with instructions for the court to hold a hearing within ten business days of the date of this order. The court shall determine whether

appellant is indigent, whether her attorneys should be allowed to withdraw, and whether appellant should be appointed new counsel. If appellant is entitled to an appointed attorney and her attorneys are allowed to withdraw, the trial court shall appoint new counsel to represent appellant on appeal. A clerk's record from the entire proceeding, including the trial court's determinations from the hearing on the motion to withdraw, shall be filed in this Court ten days after the conclusion of the hearing. *See* Tex. R. App. P. 35.1(b).

It is ordered July 11, 2017.

Before Justices Puryear, Field, and Bourland

Abated and Remanded

Filed: July 11, 2017