

***IN THE SUPREME COURT, STATE OF WYOMING***

**2020 WY 48**

*April Term, A.D. 2020*

*April 8, 2020*

**IN THE MATTER OF THE  
TERMINATION OF PARENTAL  
RIGHTS TO: IRS, a minor child,**

**KALEIGHA ELIZABETH FISH,**

**Appellant  
(Respondent),**

**v.**

**STATE OF WYOMING,  
DEPARTMENT OF FAMILY  
SERVICES,**

**Appellee  
(Petitioner).**

**S-19-0246**

**ORDER AFFIRMING THE DISTRICT COURT'S  
ORDER TERMINATING PARENTAL RIGHTS**

[¶ 1] **This matter** came before the Court upon a “Second Brief of Appellant Pursuant to *Anders v. California*, 386 U.S. 738 (1967).” Appellant took this appeal to challenge the district court’s August 20, 2019 “Order Terminating Parental Rights” to IRS, who was born in 2014. In that order, the district court concluded there was clear and convincing evidence to support two statutory grounds for termination of Appellant’s parental rights: (1) the child has been neglected, reasonable efforts were unsuccessful in rehabilitating the family, and the child’s health and safety would be seriously jeopardized if returned to Appellant; and (2) the child was in foster care for 15 of 22 months and Appellant is an unfit parent. Wyo. Stat. Ann. § 14-2-309(a)(iii) & (v).

[¶ 2] On December 9, 2019, Appellant’s court-appointed appellate attorney filed a “Brief of Appellant Pursuant to *Anders v. California*, 386 U.S. 738 (1967).” This Court notes that, in *NRL v. State (In re NRL)*, 2015 WY 27, 344 P.3d 759 (Wyo. 2015), this Court ruled

it would permit *Anders*-type briefs in appeals challenging termination of parental rights. After the brief was filed, this Court entered an order granting Appellant an opportunity to file a *pro se* brief. This Court ordered that, on or before January 23, 2020, Appellant “may file with this Court a *pro se* brief specifying the issues she would like this Court to consider in this appeal.” Appellant did not file a *pro se* brief or other pleading. After reviewing the *Anders* brief, this Court, on February 5, 2020, denied appellate counsel’s request to withdraw and ordered that counsel file “either an adequate *Anders* brief or a brief addressing the merits of the appeal.” On March 20, 2020, appellate counsel e-filed the “Second Brief of Appellant Pursuant to *Anders v. California*, 386 U.S. 738 (1967).”

[¶ 3] Now, following review of the district court record, the initial *Anders* brief, and the second *Anders* brief, this Court finds that appellate counsel should be permitted to withdraw and that the district court’s August 20, 2019, “Order Terminating Parental Rights” should be affirmed. It is, therefore,

[¶ 4] **ORDERED** that Mary Katherine Brown, court-appointed counsel for appellant Kaleigha Elizabeth Fish, is hereby permitted to withdraw as counsel of record; and it is further

[¶ 5] **ORDERED** that the district court’s August 20, 2019 “Order Terminating Parental Rights” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 8<sup>th</sup> day of April, 2020.

**BY THE COURT:**

/s/

**MICHAEL K. DAVIS**  
**Chief Justice**