

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-20-00212-CV

R. G. and S. G., Appellants

v.

Texas Department of Family and Protective Services, Appellee

**FROM THE 98TH DISTRICT COURT OF TRAVIS COUNTY
NO. D-1-FM-19-000005, THE HONORABLE DARLENE BYRNE, JUDGE PRESIDING**

MEMORANDUM OPINION

R.G. and S.G. appeal from the trial court's final decree terminating their parental rights to their children.¹ *See* Tex. Fam. Code § 161.001. Following a bench trial, the trial court found by clear and convincing evidence that a statutory ground for terminating their parental rights existed and that termination was in the children's best interest. *See id.* § 161.001(b)(1)(O), (2).

On appeal, appellants' court-appointed attorneys have filed briefs concluding that the appeal is frivolous and without merit. *See Anders v. California*, 386 U.S. 738, 744 (1967); *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 appeal from termination of parental

¹ We refer to appellants by their initials only. *See* Tex. Fam. Code § 109.002(d); Tex. R. App. P. 9.8. S.G. is the mother of the three children in this case, and R.G. is the father of two of the children. The parental rights of the other child's father also were terminated in the trial court's final decree, and he is not a party on appeal.

rights). The briefs meet the requirements of *Anders* by presenting a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced on appeal. *See* 386 U.S. at 744; *Taylor*, 160 S.W.3d at 646–47. Appellants’ attorneys have certified to this Court that they provided appellants with a copy of the *Anders* briefs and informed them of their right to examine the appellate record and to file a pro se brief. To date, appellants have not filed a pro se brief.

Upon receiving an *Anders* brief, we must conduct a full examination of the proceedings to determine whether the appeal is wholly frivolous. *Penson v. Ohio*, 488 U.S. 75, 80 (1988). We have reviewed the entire record, including the *Anders* briefs submitted on appellants’ behalf, and have found nothing that would arguably support an appeal. We agree that the appeal is frivolous and without merit. Accordingly, we affirm the trial court’s final decree terminating appellants’ parental rights.²

Melissa Goodwin, Justice

Before Justices Goodwin, Kelly, and Smith

Affirmed

Filed: July 2, 2020

² S.G.’s counsel has filed a motion to withdraw as counsel. We deny the motion. Counsels’ obligations to their clients have not yet been discharged. *See In re P.M.*, 520 S.W.3d 24, 27 (Tex. 2016) (per curiam). If appellants, after consulting with counsel, desire to file a petition for review, counsel should timely file with the Texas Supreme Court “a petition for review that satisfies the standards for an *Anders* brief.” *See id.* at 27–28.