

TEXAS COURT OF APPEALS, ELEVENTH DISTRICT AT EASTLAND

In the Interest of R.R.L., a Child v. the State of Texas

No. 11-25-00263-CV (Tex. App.—Eastland Mar. 5, 2026) (mem. op.) · No. 11-25-00263-CV · Decided March 5, 2026

SUMMARY

The Eleventh Court of Appeals of Texas reviewed an accelerated appeal from an order terminating the parental rights of both parents of R.R.L. The court affirmed the termination order as to the mother after an Anders review and denied appointed counsel’s motion to withdraw as premature under In re P.M. The court also held that the evidence was legally and factually sufficient to support termination based on endangerment findings under Texas Family Code section 161.001(b)(1)(D) and (E), among other grounds.

CASE DETAILS

COURT	Texas Court of Appeals, Eleventh District at Eastland
WRITING FOR THE COURT	W. Bruce Williams; Bailey, Chief Justice; Trotter, Justice; W. Bruce Williams, Justice
JURISDICTION	Texas Court of Appeals, Eleventh District
DECIDED	March 5, 2026
DOCKET	11-25-00263-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Accelerated appeal from an order terminating the parental rights of the child's mother and father.
STANDARD OF REVIEW	Termination of parental rights requires clear and convincing evidence. For legal sufficiency, the court asks whether a reasonable factfinder could have formed a firm belief or conviction that the finding was true, viewing evidence in the light most favorable to the finding, deferring to the factfinder's credibility determinations, and disregarding evidence the factfinder could reasonably have disbelieved. For factual sufficiency, the court weighs disputed contrary evidence against all evidence favoring the finding and determines whether the factfinder could reasonably form a firm belief or conviction. The appellate court gives due deference to the factfinder and may not substitute its judgment for that of the factfinder.

PRECEDENTIAL VALUE	Published memorandum opinion; treated as precedential under the source metadata, subject to Texas rules governing memorandum opinions.
PARTIES	Mother, Father v. The State of Texas

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QUESTIONS PRESENTED

1. Whether the evidence was legally and factually sufficient to support termination under Texas Family Code section 161.001(b)(1)(D), based on knowingly placing or allowing the child to remain in endangering conditions or surroundings.
2. Whether the evidence was legally and factually sufficient to support termination under Texas Family Code section 161.001(b)(1)(E), based on a course of conduct that endangered the child.
3. Whether the evidence was legally and factually sufficient to support termination under sections 161.001(b)(1)(N) and (O).
4. Whether the evidence was legally and factually sufficient to support the finding that termination of the father's parental rights was in the child's best interest.
5. Whether mother's appointed counsel satisfied Anders obligations and could withdraw before the conclusion of all appeals in a parental-rights-termination case.

HOLDINGS

1. Appointed counsel's Anders brief satisfied the required professional review and demonstrated that mother's appeal was frivolous and without merit, but counsel's motion to withdraw filed in the court of appeals was premature because appointed counsel's duty in a parental-rights-termination case generally extends through exhaustion of all appeals.
2. The evidence was legally and factually sufficient to establish that the father knowingly placed or knowingly allowed R.R.L. to remain in conditions or surroundings that endangered the child's physical or emotional well-being.
3. The evidence was legally and factually sufficient to establish that the father engaged in a voluntary, deliberate, and conscious course of conduct that endangered R.R.L.'s physical or emotional well-being.
4. Because the evidence sufficiently supported termination under subsection (D) and subsection (E), the court did not need to reach the father's challenges to the findings under subsections (N) and (O).

5. The evidence was legally and factually sufficient to support the finding that termination of the father's parental rights was in R.R.L.'s best interest.

KEY QUOTATIONS

“The court in P.M. held that, in parental termination cases, court-appointed counsel’s duty to his or her client generally extends “through the exhaustion of [all] appeals.”” (2)

“The term means “more than a threat of metaphysical injury or potential ill effects of a less-than-ideal family environment,” but “does not require actual harm.”” (11)

“A parent’s actions prior to and after the child’s removal may show an endangering course of conduct.” (12)

“The record therefore discloses several circumstances from which the trial court may have reasonably discerned a “pattern of conduct that is inimical to the very idea of child-rearing.”” (19)

FACTUAL BACKGROUND

The Department became involved after the parents' three-month-old child, H.S., died in January 2024 amid dangerous conditions in the mother's home, parental drug use, and domestic-violence concerns. R.R.L. was born in August 2024 after the mother tested positive for cocaine and marihuana during pregnancy and the father tested positive for high levels of cocaine and marihuana shortly after the child's birth. The Department obtained temporary managing conservatorship and the father failed to comply with most requirements of his court-ordered service plan, continued using marihuana, rarely visited R.R.L., failed to maintain contact with the Department, and did not provide support or demonstrate that he could provide a safe home. R.R.L. was doing well in foster care at the time of the final hearing.

PROCEDURAL HISTORY

The 446th District Court of Ector County terminated both parents' parental rights under Texas Family Code sections 161.001(b)(1)(D), (E), (N), and (O), and found termination to be in the child's best interest. Mother appealed through appointed counsel, who filed an Anders brief and motion to withdraw. Father challenged the sufficiency of the evidence supporting the predicate termination grounds and best-interest finding. The court of appeals denied mother's counsel's motion to withdraw, affirmed termination as to mother, and affirmed the order as to father.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- In re P.M., 520 S.W.3d 24, 27–28 (Tex. 2016)
- In re N.G., 577 S.W.3d 230, 234–35 (Tex. 2019)
- In re J.W., 645 S.W.3d 726, 741, 749–50 (Tex. 2022)

- In re J.F.C., 96 S.W.3d 256, 266 (Tex. 2002)
- In re J.F.-G., 627 S.W.3d 304, 311–12, 316 (Tex. 2021)
- In re A.C., 560 S.W.3d 624, 631 (Tex. 2018)
- In re J.O.A., 283 S.W.3d 336, 345 (Tex. 2009)
- In re C.H., 89 S.W.3d 17, 25–28 (Tex. 2002)
- Holley v. Adams, 544 S.W.2d 367, 371–72 (Tex. 1976)
- In re R.R.A., 687 S.W.3d 269, 277, 279–81 (Tex. 2024)
- In re C.E., 687 S.W.3d 304, 310 (Tex. 2024)
- Tex. Dep’t of Human Servs. v. Boyd, 727 S.W.2d 531, 533 (Tex. 1987)
- In re J.S., 687 S.W.3d 541, 547–50, 552–53 (Tex. App.—Eastland 2024, no pet.)
- In re A.V., 113 S.W.3d 355, 362 (Tex. 2003)
- In re A.L.S., 660 S.W.3d 257, 263–64, 273 (Tex. App.—San Antonio 2022, pet. denied)
- In re M.R.J.M., 280 S.W.3d 494, 503 (Tex. App.—Fort Worth 2009, no pet.)
- In re D.T., 34 S.W.3d 625, 634 (Tex. App.—Fort Worth 2000, pet. denied)
- In re A.J.M., 375 S.W.3d 599, 606 (Tex. App.—Fort Worth 2012, pet. denied)
- Walker v. Tex. Dep’t of Fam. & Protective Servs., 312 S.W.3d 608, 617 (Tex. App.—Houston [1st Dist.] 2009, pet. denied)
- In re A.L.H., 468 S.W.3d 738, 746 (Tex. App.—Houston [14th Dist.] 2015, no pet.)
- Cervantes-Peterson v. Tex. Dep’t of Fam. & Protective Servs., 221 S.W.3d 244, 253 (Tex. App.—Houston [1st Dist.] 2006, no pet.)
- In re D.J.W., 624 S.W.3d 60, 67 (Tex. App.—El Paso 2021, no pet.)
- In re M.S., 662 S.W.3d 620, 630–31 (Tex. App.—Beaumont 2023, pet. denied)
- In re K.G., No. 11-24-00236-CV, 2025 WL 477650, at *5–6 (Tex. App.—Eastland Feb. 13, 2025, no pet.) (mem. op.)
- E.G. v. Tex. Dep’t of Fam. & Protective Servs., No. 03-22-00469-CV, 2022 WL 17970222, at *9 (Tex. App.—Austin Dec. 28, 2022, no pet.) (mem. op.)
- In re E.C.R., 638 S.W.3d 755, 767 (Tex. App.—Amarillo 2021, pet. denied)
- In re B.C.S., 479 S.W.3d 918, 927 (Tex. App.—El Paso 2015, no pet.)
- In re Z.R.M., 665 S.W.3d 825, 829 (Tex. App.—San Antonio 2023, no pet.)
- In re D.S., 333 S.W.3d 379, 384 (Tex. App.—Amarillo 2011, no pet.)
- In re J.D., 436 S.W.3d 105, 118 (Tex. App.—Houston [14th Dist.] 2014, no pet.)
- May v. May, 829 S.W.2d 373, 377 (Tex. App.—Corpus Christi–Edinburg 1992, writ denied)
- In re D.M., No. 11-25-00102-CV, 2025 WL 2980658, at *1 n.2 (Tex. App.—Eastland Oct. 23, 2025, no pet.) (mem. op.)
- In re Lee, 411 S.W.3d 445, 460 (Tex. 2013)
- In re J.P.B., 180 S.W.3d 570, 573 (Tex. 2005)
- In re S.R., 452 S.W.3d 351, 366 (Tex. App.—Houston [14th Dist.] 2014, pet. denied)
- In re N.T., 474 S.W.3d 465, 477 (Tex. App.—Dallas 2015, no pet.)

- In re E.C.R., 402 S.W.3d 239, 249–50 (Tex. 2013)
- In re J.A.R., 696 S.W.3d 245, 257 (Tex. App.—Houston [14th Dist.] 2024, pet. denied)
- In re E.D., 682 S.W.3d 595, 607 (Tex. App.—Houston [1st Dist.] 2023, pet. denied)
- In re E.J.M., 673 S.W.3d 310, 334 (Tex. App.—San Antonio 2023, no pet.)
- In re N.J.H., 575 S.W.3d 822, 834 (Tex. App.—Houston [1st Dist.] 2018, pet. denied)
- In re A.J.D.-J., 667 S.W.3d 813, 823 (Tex. App.—Houston [1st Dist.] 2023, no pet.)
- In re U.G.G., 573 S.W.3d 391, 402 (Tex. App.—El Paso 2019, no pet.)
- In re F.M.E.A.F., 572 S.W.3d 716, 732 (Tex. App.—Houston [14th Dist.] 2019, pet. denied)
- In re A.H., No. 11-24-00075-CV, 2024 WL 3879987, at *7 (Tex. App.—Eastland Aug. 21, 2024, pet. denied) (mem. op.)
- In re S.M.R., 434 S.W.3d 576, 585 (Tex. 2014)
- In re M.K.V., 648 S.W.3d 478, 486 (Tex. App.—San Antonio 2021, no pet.)
- In re R.S.-T., 522 S.W.3d 92, 109 (Tex. App.—San Antonio 2017, no pet.)
- In re A.R.M., 593 S.W.3d 358, 371 (Tex. App.—Dallas 2018, pet. denied)
- In re S.O., No. 05-22-01019-CV, 2023 WL 2237084, at *11 (Tex. App.—Dallas Feb. 27, 2023, no pet.) (mem. op.)
- In re K.S., 420 S.W.3d 852, 855 (Tex. App.—Texarkana 2014, no pet.)