

COURT OF APPEALS OF TEXAS, FOURTH DISTRICT, SAN ANTONIO

In the Interest of A.R.E., a Child

No. 04-14-00593-CV (Tex. App.—San Antonio Sept. 11, 2014) · No. No. 04-14-00593-CV · Decided September 11, 2014

SUMMARY

The Fourth Court of Appeals of San Antonio issued an order in an accelerated appeal from an order terminating parental rights. The court directed newly appointed appellate counsel to respond to a prior show-cause order by September 17, 2014 and declared motions filed by former counsel moot.

CASE DETAILS

COURT	Court of Appeals of Texas, Fourth District, San Antonio
WRITING FOR THE COURT	Catherine Stone, Chief Justice
JURISDICTION	Texas
DECIDED	September 11, 2014
DOCKET	No. 04-14-00593-CV
DISPOSITION	other
PROCEDURAL POSTURE	Accelerated appeal from an order terminating appellant's parental rights. The court issued a show-cause order questioning appellate jurisdiction and directed newly appointed appellate counsel to respond.
PRECEDENTIAL VALUE	published
PARTIES	Appellant whose parental rights were subject to termination

TOPICS

termination of parental rights family law procedure appellate jurisdiction appellate procedure

PRACTICE AREAS

family law appellate procedure

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed for lack of appellate jurisdiction.

2. What response deadline should apply after new appellate counsel was appointed in an accelerated parental-rights appeal subject to a 180-day disposition requirement.

HOLDINGS

1. Newly appointed appellate counsel Manuel C. Rodriguez, Jr. was ordered to file a written response to the court's August 27, 2014 show-cause order no later than September 17, 2014.
2. The motions filed by former counsel Laura D. Heard were declared moot following her withdrawal from the case.

KEY QUOTATIONS

"This is an accelerated appeal of the trial court's order terminating appellant's parental rights which is required to be brought to final disposition within 180 days of the date the notice of appeal is filed."

FACTUAL BACKGROUND

The appeal concerns the termination of appellant's parental rights to A.R.E., a child. The record excerpt does not provide substantive facts underlying the termination order. The procedural circumstances material to this order are the withdrawal of appointed counsel, appointment of new appellate counsel, and the appellate court's jurisdictional inquiry.

PROCEDURAL HISTORY

The 225th Judicial District Court of Bexar County entered an order terminating appellant's parental rights. The matter was brought as an accelerated appeal subject to the requirement that it be finally disposed of within 180 days after the notice of appeal. After the trial court allowed appointed counsel Laura D. Heard to withdraw and appointed Manuel C. Rodriguez, Jr. as new appellate counsel, the court of appeals ordered the new counsel to respond to its prior show-cause order concerning possible lack of jurisdiction.

DISPOSITION

other