

COURT OF APPEALS, SECOND APPELLATE DISTRICT OF TEXAS AT FORT WORTH

In the Interest of T.F., a Child v. the State of Texas

No. 02-25-00480-CV (Tex. App.—Fort Worth Jan. 30, 2026) · No. 02-25-00480-CV · Decided January 30, 2026

SUMMARY

The Texas Court of Appeals, Second Appellate District, affirmed an order terminating the father’s parental rights to T.F. and awarding permanent managing conservatorship to the Texas Department of Family and Protective Services. Applying Anders procedures, the court independently reviewed the record and concluded that the appeal presented no arguable grounds for relief; it also denied appointed counsel’s motion to withdraw.

CASE DETAILS

COURT	Court of Appeals, Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Wade Birdwell; Bassel; Womack
JURISDICTION	Court of Appeals, Second Appellate District of Texas at Fort Worth
DECIDED	January 30, 2026
DOCKET	02-25-00480-CV
DISPOSITION	affirmed
PROCEDURAL POSTURE	Father appealed an order terminating his parental rights to T.F. and awarding permanent managing conservatorship of T.F. to the Texas Department of Family and Protective Services. Appointed appellate counsel filed an Anders brief asserting that the appeal was frivolous and that no arguable grounds for relief existed.
STANDARD OF REVIEW	When an Anders brief satisfies Anders's requirements, the appellate court independently examines the record, the Anders brief, and any pro se response to determine whether arguable grounds for appeal exist.
PRECEDENTIAL VALUE	Published
PARTIES	Father v. the State of Texas, Texas Department of Family and Protective Services

TOPICS

- termination of parental rights
- family law procedure
- appellate procedure
- standard of review

PRACTICE AREAS

family law

appellate procedure

QUESTIONS PRESENTED

1. Whether the record contained any arguable grounds supporting Father's appeal from the order terminating his parental rights.
2. Whether appointed appellate counsel demonstrated good cause to withdraw after concluding that the appeal was frivolous.

HOLDINGS

1. When an Anders brief satisfies the applicable requirements, the appellate court must independently examine the record, the Anders brief, and any pro se response to determine whether arguable grounds for appeal exist.
2. The appeal was frivolous because the record contained no arguable grounds that might support Father's appeal, and the trial court's order terminating Father's parental rights was affirmed.
3. Counsel's motion to withdraw was denied because counsel did not show good cause independent from her conclusion that the appeal was frivolous.

KEY QUOTATIONS

“When reviewing a brief that asserts an appeal is frivolous and that fulfills the requirements of Anders, we must independently examine the record to determine if any arguable grounds for appeal exist.” (at 3)

“Having carefully reviewed the record and the Anders brief, we conclude that there are no arguable grounds that might support Father’s appeal; therefore, we agree with counsel that the appeal is frivolous.” (at 3)

FACTUAL BACKGROUND

The trial court terminated Father's parental rights to his child, T.F., and awarded permanent managing conservatorship of T.F. to the Texas Department of Family and Protective Services. The termination order cited Texas Family Code sections 161.001(b)(1)(D) and (E) and section 161.001(b)(2). Mother was also subject to the termination order but did not appeal and was not a party to this appeal.

PROCEDURAL HISTORY

The 324th District Court of Tarrant County terminated Father's parental rights under Texas Family Code sections 161.001(b)(1)(D) and (E), together with section 161.001(b)(2), and awarded permanent managing conservatorship to TDFPS. Father appealed. The court of appeals independently reviewed the record and the Anders brief, found no arguable grounds supporting the appeal, affirmed the termination order, and denied counsel's motion to withdraw for lack of good cause independent of counsel's conclusion that the appeal was frivolous.

DISPOSITION

affirmed

CASES CITED

- *Anders v. California*, 386 U.S. 738, 744, 87 S. Ct. 1396, 1400 (1967)
- *In re P.M.*, 520 S.W.3d 24, 27 & n.10 (Tex. 2016) (order)
- *In re K.M.*, 98 S.W.3d 774, 776-77 (Tex. App.—Fort Worth 2003, order)
- *Kelly v. State*, 436 S.W.3d 313, 318-20 (Tex. Crim. App. 2014)
- *In re C.J.*, 501 S.W.3d 254, 255 (Tex. App.—Fort Worth 2016, pets. denied)
- *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)
- *In re K.M.*, No. 02-18-00073-CV, 2018 WL 3288591, at *10 (Tex. App.—Fort Worth July 5, 2018, pet. denied) (mem. op.)
- *Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App. 2005)
- *In re D.D.*, 279 S.W.3d 849, 850 (Tex. App.—Dallas 2009, pet. denied)

OPINION

PER CURIAM.

In the Court of Appeals Second Appellate District of Texas at Fort Worth _____ No. 02-25-00480-CV _____ IN THE INTEREST OF T.F., A CHILD On Appeal from the 324th District Court Tarrant County, Texas Trial Court No. 324-748154-24 Before Birdwell, Bassel, and Womack, JJ. Memorandum Opinion by Justice Birdwell MEMORANDUM OPINION Appellant Father appeals the trial court’s order terminating his parental rights to his child, T.F.,¹ and awarding permanent managing conservatorship of her to the Texas Department of Family and Protective Services (TDFPS).² See Tex. Fam.

Code Ann. § 161.001(b)(1)(D), (E), (b)(2). Because there are no arguable grounds that might support the appeal, we affirm. Father’s appointed appellate counsel has filed a brief stating that she conducted a professional evaluation of the record and concluded that there are no arguable grounds to support an appeal and that the appeal is frivolous. See *Anders v. California*, 386 U.S. 738, 744, 87 S. Ct.

1396, 1400 (1967). Counsel’s brief meets the requirements of *Anders* by presenting a professional evaluation of the record and demonstrating why there are no reversible grounds on appeal. See *id.*, 87 S. Ct. at 1400; see also *In re P.M.*, 520 S.W.3d 24, 27 & n.10 (Tex. 2016) (order) (approving use of *Anders* procedures in termination-of-parental-rights appeals); *In re K.M.*, 98 S.W.3d 774, 776– 77 (Tex.

App.—Fort Worth 2003, order) (holding that Anders procedures apply in termination cases). 1 In termination-of-parental-rights cases, we use aliases for the names of the children and their parents. See Tex. Fam. Code Ann. § 109.002(d); Tex. R. App. P. 9.8(b)(2). 2 In the same termination order, the trial court also terminated Mother’s parental rights to T.F.

However, Mother has not appealed the termination order and is not a party to this appeal. 2 Further, counsel (1) provided Father with a copy of the Anders brief; (2) informed Father of his rights to request and review the appellate record and to file a pro se brief in response; (3) explained to Father the process of obtaining the appellate record; and (4) provided Father with a motion for pro se access to the appellate record, which lacked only Father’s signature and the date.

See *Kelly v. State*, 436 S.W.3d 313, 318–20 (Tex. Crim. App. 2014). We too notified Father of his rights to request and examine the appellate record and to file a pro se response to the Anders brief, but he has not done so.

We then notified TDFPS that Father had not filed a pro se response and that its response to the Anders brief, if any, was due by January 5, 2026. TDFPS has declined to file a response but agrees with counsel’s assertion that there are no arguable grounds for relief. When reviewing a brief that asserts an appeal is frivolous and that fulfills the requirements of Anders, we must independently examine the record to determine if any arguable grounds for appeal exist.

See *In re C.J.*, 501 S.W.3d 254, 255 (Tex. App.—Fort Worth 2016, pets. denied) (citing *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)). We also consider the Anders brief itself and any pro se response.

In re K.M., No. 02-18-00073-CV, 2018 WL 3288591, at *10 (Tex. App.—Fort Worth July 5, 2018, pet. denied) (mem. op.). Having carefully reviewed the record and the Anders brief, we conclude that there are no arguable grounds that might support Father’s appeal; therefore, we agree 3 with counsel that the appeal is frivolous. See *Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex.

Crim. App. 2005); *In re D.D.*, 279 S.W.3d 849, 850 (Tex. App.—Dallas 2009, pet. denied). We affirm the trial court’s order terminating Father’s parental rights to T.F.3 /s/ Wade Birdwell Wade Birdwell Justice Delivered: January 30, 2026 3 Father’s counsel also filed a motion to withdraw.

We deny that motion because counsel did not show good cause for withdrawal independent from her conclusion that the appeal is frivolous. See *P.M.*, 520 S.W.3d at 27; *C.J.*, 501 S.W.3d at 255. Accordingly, Father’s counsel remains appointed in this case through any proceedings in the Texas Supreme Court unless otherwise relieved of her duties. See *P.M.*, 520 S.W.3d at 27; see also Tex. Fam.

Code Ann. § 107.016(2)(C). 4

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