

IN THE SUPREME COURT, STATE OF WYOMING

2015 WY 124

April Term, A.D. 2015

September 16, 2015

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

ANOL, aka ANO,

**Appellant
(Respondent),**

v.

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

**Appellee
(Petitioner).**

S-15-0135

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

[¶1] **This matter** came before the Court upon its own motion following notification that Appellant has not filed a *pro se* brief within the time allotted by this Court. Appellant filed this appeal to challenge the district court's March 13, 2015, "Order Terminating Parental Rights of [ANOL]..." In that order, the district court concluded there was clear and convincing evidence to support three statutory grounds for termination of Appellant's parental rights: (1) the child has been neglected by Appellant, reasonable efforts were unsuccessful in rehabilitating the family, and the child's health and safety would be seriously jeopardized if returned to Appellant; (2) Appellant is incarcerated on a felony and unfit; and (3) the child was in foster care for 15 of the most recent 22 months and Appellant is unfit. Wyo. Stat. Ann. § 14-2-309(a)(iii),(iv), & (v).

[¶2] On July 14, 2015, Appellant’s court-appointed appellate counsel filed a “Motion to Withdraw as Counsel,” pursuant to *NRL v. State (In re NRL)*, 2015 WY 27, ¶ 3, 344 P.3d 759, 760 (Wyo. 2015). There, this Court announced it would permit *Anders*-type briefs in appeals challenging termination of parental rights. *See Anders v. California*, 386 U.S. 738, 744, 87 S.Ct. 1396, 1400, 18 L.Ed.2d 493 (1967). The next day, this Court entered an “Order Granting Motion for Extension of Time to File *Pro Se* Brief.” This Court ordered that, on or before September 3, 2015, Appellant “may file with this Court a *pro se* brief specifying the issues she would like this Court to consider in this appeal.” This Court also provided notice that, after the time for filing a *pro se* brief expired, this Court would “make its ruling on counsel’s motion to withdraw and, if appropriate, make a final decision on this appeal.” This Court notes that Appellant has not filed a *pro se* brief or other pleading in the time allotted.

[¶3] Now, following review of the record and the “*Anders* brief” submitted by appellate counsel, this Court finds that appellate counsel’s motion to withdraw should be granted and the district court’s “Order Terminating Parental Rights of [ANOL]....” should be affirmed. It is, therefore,

[¶4] **ORDERED** that Kenneth DeCock, court-appointed counsel for Appellant, is hereby permitted to withdraw as counsel of record for Appellant; and it is further

[¶5] **ORDERED** that the district court’s March 13, 2015, “Order Terminating Parental Rights of [ANOL]....” be, and the same hereby is, affirmed.

[¶6] **DATED** this 16th day of September, 2015.

BY THE COURT:

/s/

E. JAMES BURKE
Chief Justice