

IN THE SUPREME COURT, STATE OF WYOMING

2018 WY 44

April Term, A.D. 2018

May 1, 2018

**IN THE MATTER OF THE
TERMINATION OF PARENTAL
RIGHTS TO: BMW, MEW, and SFW,
Minor Children.**

NIKI COLLEEN WATTS,

**Appellant
(Respondent),**

v.

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

**Appellee
(Petitioner).**

S-17-0267

**IN THE MATTER OF THE
TERMINATION OF PARENTAL
RIGHTS TO: BMW, MEW, and SFW,
Minor Children.**

RONALD ALAN WATTS,

**Appellant
(Respondent),**

v.

STATE OF WYOMING,

S-17-0268

DEPARTMENT OF FAMILY
SERVICES,

Appellee
(Petitioner).

ORDER AFFIRMING THE DISTRICT COURT'S ORDER TERMINATING PARENTAL RIGHTS

[¶1] **This matter** came before the Court upon a “Second Motion to Withdraw as Counsel Pursuant to *Anders v. California*, 386 U.S. 738 (1967), et. al.,” e-filed in docket S-17-0267 on March 30, 2018; and a “Motion to Withdraw Pursuant to *Anders v. California*, 386 U.S. 738 (1967),” e-filed in docket S-17-0268 on April 6, 2018. Appellants filed these appeals to challenge the district court’s July 7, 2017, “Order Terminating Parental Rights of Niki Colleen Watts and Ronald Alan Watts.” In that order, the district court concluded there was clear and convincing evidence to support two statutory grounds for termination of Appellants’ parental rights: (1) the children have been neglected by Appellants, reasonable efforts were unsuccessful in rehabilitating the family, and the children’s health and safety would be seriously jeopardized if returned to Appellants; and (2) the children were in foster care for 15 of 22 months and Appellants are unfit parents. Wyo. Stat. Ann. § 14-2-309(a)(iii) and (v).

[¶2] In November of 2017, Appellants’ court-appointed appellate attorneys each filed a Motion to Withdraw pursuant to *Anders v. California*, 386 U.S. 738 (1967). This Court notes that, in *NRL v. State (In re NRL)*, 2015 WY 27, 344 P.3d 759 (Wyo. 2015), this Court ruled it would permit *Anders*-type briefs in appeals challenging termination of parental rights. After the motions were filed, this Court entered, in each docket, an “Order Granting Motion for Extension of Time to File *Pro Se* Brief.” This Court ordered that, on or before December 27, 2017, Appellants “may file with this Court a *pro se* brief specifying the issues [she/he] would like this Court to consider in this appeal.” On December 27, 2017, Appellants filed *pro se* pleadings, both of which are three pages in length.

[¶3] On January 9, 2018, this Court denied the attorneys’ motions to withdraw, because the attorneys did not discuss whether the district court complied with Wyo. Stat. Ann. § 14-3-431(p). The district court subsequently corrected the record to state that it considered that statute and granted a continuance.

[¶4] Next, Appellants’ court-appointed attorneys filed the withdrawal motions noted in the first paragraph of this order. Now, following review of the record, the *Anders* briefs submitted by appellate counsel, and the supplemental *Anders* briefs, and the parties’ *pro se* pleadings, this Court finds the appellate attorneys’ latest motions to withdraw should

be granted and the district court's "Order Terminating Parental Rights of Niki Colleen Watts and Ronald Alan Watts" should be affirmed. This Court finds nothing in the record or any of the pleadings to convince this Court that Appellants have any meritorious issues. It is, therefore,

[¶5] **ORDERED** that the captioned appeals are hereby consolidated; and it is further

[¶6] **ORDERED** that Rebecca S. Wright, court-appointed counsel for Appellant, Niki Colleen Watts, is hereby permitted to withdraw as counsel of record; and it is further

[¶7] **ORDERED** that Amanda D. Gamblin, court-appointed counsel for Appellant, Ronald Alan Watts, is hereby permitted to withdraw as counsel of record; and it is further

[¶8] **ORDERED** that the district court's July 7, 2017, "Order Terminating Parental Rights of Niki Colleen Watts and Ronald Alan Watts" be, and the same hereby is, affirmed.

[¶9] **DATED** this 1st day of May, 2018.

BY THE COURT:

/s/

E. JAMES BURKE
Chief Justice