

**ARKANSAS COURT OF APPEALS**

DIVISION IV  
No. CA 09-628

REBECCA TURNER

APPELLANT

V.

ARKANSAS DEPARTMENT OF  
HUMAN SERVICES

APPELLEE

**Opinion Delivered** December 2, 2009

APPEAL FROM THE OUACHITA  
COUNTY CIRCUIT COURT  
[NO. JV-07-103]

HONORABLE LARRY W.  
CHANDLER, JUDGE

AFFIRMED; MOTION TO BE  
RELIEVED GRANTED

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**COURTNEY HUDSON HENRY, Judge**

By an order dated March 20, 2009, the Ouachita County Circuit Court terminated the parental rights of appellant Rebecca Turner to her son, W.P., and to her daughter, K.P. On appeal, appellant's attorney has filed a motion to be relieved as counsel pursuant to *Linker-Flores v. Ark. Dep't of Human Servs.*, 359 Ark. 131, 194 S.W.3d 739 (2004), and Ark. Sup. Ct. R. 6-9(i), asserting that there are no issues of arguable merit to support an appeal. Counsel's motion is accompanied by a brief listing all adverse rulings made at the termination hearing and explaining why there is no meritorious ground for reversal. The clerk of this court sent a copy of counsel's motion and brief to appellant, informing her that she had the right to file pro se points for reversal. The post office attempted to deliver the packet on three occasions, but those efforts proved unsuccessful. Consequently, appellant has not filed any pro se points.

Our review of the record reveals that the children were removed from appellant's custody because of physical violence perpetrated by appellant's husband, who is not the father of the children. The husband is also a sex offender, whom appellant has not divorced. During the course of the proceedings, appellant failed to comply with the requirements of the case plan. Based on appellant's lack of compliance and her admitted lack of motivation to achieve the return of the children, the trial court entered an order finding aggravated circumstances and relieving the department of the responsibility for providing reunification services. *See* Ark. Code Ann. § 9-27-303(47)(C)(i) (Supp. 2009). Fifteen months following the removal of the children, the trial court terminated appellant's parental rights, finding the existence of several grounds and concluding that termination was in the children's best interest. *See* Ark. Code Ann. § 9-27-341(b)(3) (Supp. 2009).

From our review, we find that counsel has complied with the rule regarding no-merit appeals, and we conclude that the appeal is wholly without merit. Accordingly, we grant counsel's motion to be relieved and affirm the termination order.

Affirmed; motion to be relieved granted.

GRUBER and MARSHALL, JJ., agree.

*Deborah R. Sallings*, Ark. Pub. Defender Comm'n, for appellant.

No response.