

ARKANSAS COURT OF APPEALS

DIVISION II

No. CA 11-302

KEISHA WILLIAMS

APPELLANT

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES and MINOR
CHILDREN

APPELLEES

Opinion Delivered SEPTEMBER 28, 2011

APPEAL FROM THE JEFFERSON
COUNTY CIRCUIT COURT
[NOS. JV-2009-206-6, JV-2009-747-6]

HONORABLE EARNEST E. BROWN,
JR., JUDGE

AFFIRMED; MOTION GRANTED

JOHN B. ROBBINS, Judge

Appellant Keisha Williams appeals from the termination of her parental rights to her three children: daughter CR born in December 2005, son SR born in September 2007, and son JR born in July 2009.¹ The trial court entered the order in December 2010. Her attorney filed a no-merit brief and a motion to be relieved, stating that there is no issue of arguable merit to advance on appeal and that she should be relieved as counsel.

In compliance with *Linker-Flores v. Arkansas Department of Human Services.*, 359 Ark. 131, 194 S.W.3d 739 (2004) and Arkansas Supreme Court Rule 6-9 (2010), her appellate attorney ordered the relevant portions of the record, Ark. Sup. Ct. R. 6-9(c), and examined it for adverse rulings, explaining why each ruling would not support a meritorious argument

¹Gregory Reynolds, CR's father, did not have his parental rights terminated in this proceeding. Edward Robinson, SR and JR's father, did have his parental rights terminated, but he did not appeal.



for reversal, Ark. Sup. Ct. R. 6-9(i). Williams was provided a copy of her attorney's brief and motion and was informed of her right to file pro se points for reversal, which she did. The Department of Human Services chose not to file a responsive brief. We affirm the order terminating Williams's parental rights, and we relieve her attorney from representation.

CR and SR were removed from their mother's custody in February 2009 due to her failure to protect their infant sister RR from physical abuse at the hands of Edward Robinson, appellant's boyfriend and RR's father. In a fit of frustration over RR's crying one night, Robinson strangled RR to death. Appellant was home and aware of Robinson's behavior; she did not summon authorities until the next morning. When RR's body was removed from the home, bugs had already begun to feed on her. The medical examiner found other injuries indicative of physical abuse. Both Robinson and appellant were arrested. Appellant was pregnant with Robinson's child, JR.

JR was removed from his mother's custody when he was born in July 2009; appellant was still in jail at his birth. Robinson pled guilty to manslaughter of RR, and he was sentenced to imprisonment. Appellant was released from jail in August 2009. A case plan was developed toward reunifying her with her three children, requiring that she attend counseling and parenting classes and that she obtain housing and an adequate income. DHS failed to promptly provide a therapy referral, but appellant completed parenting classes and underwent a psychological evaluation. Visitation was not allowed.

DHS petitioned for termination of appellant's parental rights in May 2010 alleging four grounds, all emanating from appellant's poor judgments before and after RR's death and her



failure to provide support for her children. The petition was heard in November 2010, and the trial judge found that appellant was not entitled to any more time because he was convinced that it would not make a difference in appellant's decision making.

The evidence showed that after appellant's release from jail in August 2009, she became pregnant again in May 2010, moving into a one-bedroom apartment with the father, a married man named Kenneth Thomas, in July 2010. Thomas was not yet divorced and had three children of his own. Appellant believed that Thomas had a history of domestic violence with his wife. She said Robinson was abusive to her, but she was not worried about Thomas. She said she was not able to find employment because her criminal charges were not dismissed until September 2010. Appellant was attending a two-year nursing school and hoped to get a job and her own housing in 2011, some time after she delivered her next child.

A therapist diagnosed appellant as having depressive disorder and antisocial personality disorder. The therapist suggested that appellant had made progress but needed additional time to work toward reunification because she still exhibited poor decision making, and she needed time to get a job and her own place to live. The order terminating her parental rights, based upon two grounds, was entered in December 2010.

The record reflects eight adverse rulings, each of which is detailed and explained as presenting no issue of arguable merit on appeal. We agree with that assessment. Appellant's pro se points reveal her desire for one more chance, and she states she acquired a job in July 2011, but these are issues that would not present a meritorious argument for reversal and are beyond the record below.



Cite as 2011 Ark. App. 567

After carefully examining the record, the brief, and the pro se points, we hold that the attorney has complied with the requirements established by the Arkansas Supreme Court for no-merit termination cases and that the appeal is wholly without merit. Accordingly, by memorandum opinion, we affirm the termination of her parental rights. See *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985); Ark. Sup. Ct. R. 5-2(e)(2010). We also grant her attorney's motion to be relieved from representation.

Affirmed; motion granted.

PITTMAN and HART, JJ., agree.

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

No response.