

ARKANSAS COURT OF APPEALS

DIVISION I
No. CA12-249

TERESA WEAVER AND KENNETH
POORE

APPELLANTS

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES

APPELLEE

Opinion Delivered August 29, 2012

APPEAL FROM THE CRAIGHEAD
COUNTY CIRCUIT COURT,
WESTERN DISTRICT
[NO. JV-2010-290]

HONORABLE CINDY THYER,
JUDGE

AFFIRMED; MOTION TO
WITHDRAW GRANTED

JOHN MAUZY PITTMAN, Judge

This is an appeal from an order terminating the parental rights of appellants Teresa Weaver and Kenneth Poore to their minor children, K.P. and S.P. Appellants' attorney has filed a motion to be relieved as counsel and a no-merit brief pursuant to *Linker-Flores v. Arkansas Department of Human Services*, 359 Ark. 131, 194 S.W.3d 739 (2004), and Arkansas Supreme Court Rule 6-9(i), asserting that there are no issues of arguable merit to support the appeal. Counsel's brief details all adverse rulings made at the termination hearing and explains why there is no meritorious ground for reversal. The clerk of this court sent copies of the brief and motion to be relieved to appellants' last known address, informing them that they had the right to file pro se points for reversal under Ark. Sup. Ct. R. 6-9(i)(3). Appellant Kenneth Poore did not respond. Ms. Weaver filed pro se points, asserting that she has made progress since her rights were terminated and that termination of her parental rights would



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be contrary to the children's best interest. However, post-termination progress is not a ground for reversal of an order terminating parental rights. See *Camarillo-Cox v. Arkansas Department of Human Services*, 360 Ark. 340, 201 S.W.3d 391 (2005).

The record shows that the children were initially removed from appellants' home because of severe environmental neglect. Soon thereafter, both parents were arrested and pled guilty to sexually abusing a child from a neighboring household. Their confessions, included in the record, show that their actions would have supported convictions for rape, and both parents received long prison sentences (Poore, thirty years; Weaver, six years). Their convictions for sex crimes against a juvenile victim and the length of their sentences constitute clear grounds for termination of parental rights. There was evidence that the children are highly adoptable, and, in light of the evidence of domestic violence, drug use, and sexual abuse of children practiced by appellants, we think that it would be frivolous indeed to argue that termination of parental rights was not in the best interest of their children.

Based on our examination of the record and the briefs presented to us, we find that counsel has complied with the requirements established by the Arkansas Supreme Court for no-merit motions in termination cases, and we hold that the appeal is wholly without merit. Consequently, we grant counsel's motion to withdraw and affirm the order terminating appellants' parental rights.

Affirmed; motion to withdraw granted.

GRUBER and HOOFFMAN, JJ., agree.

Deborah R. Sallings, Arkansas Public Defender Comm'n, for appellant.

Tabitha Baertels McNulty, Office of Chief Counsel, for appellee.

Chrestman Group, PLLC, by: *Keith L. Chrestman*, attorney ad litem for minor children.