

ARKANSAS COURT OF APPEALS

DIVISION III

No. CA12-317

CHARLOTTE CAMMACK
APPELLANT

V.

ARKANSAS DEPARTMENT OF HUMAN
SERVICES and MINOR CHILDREN
APPELLEES

Opinion Delivered September 12, 2012

APPEAL FROM THE CRAIGHEAD
COUNTY CIRCUIT COURT,
WESTERN DISTRICT
[No. JV-2006-63]

HONORABLE CINDY THYER,
JUDGE

AFFIRMED; MOTION TO WITHDRAW
GRANTED

LARRY D. VAUGHT, Chief Judge

This is an appeal from the termination of appellant Charlotte Cammack's parental rights to her children DR, DC, KC1, and KC2. Appointed counsel has filed a no-merit brief and moved to withdraw in this termination-of-parental-rights case. Our clerk sent a copy of these papers to Cammack. However, she did not file any pro se points.

The Department of Human Services (DHS) opened a protective-services case on this family on September 1, 2010, after Cammack and her youngest child, KC2, tested positive for THC at KC2's birth. In the course of the protective-services case, DHS offered home visits and other case-management services, including parenting classes. On April 29, 2011, Cammack presented to a hospital in Jonesboro with KC2, who was observed to have second and third degree burns on her back and buttocks that were inconsistent with Cammack's explanation that the burns were accidental. Further investigation also revealed that DR had been chronically



abused. DHS removed all four children, and the court granted emergency custody on May 2, 2011.

Subsequently, the children were adjudicated dependent-neglected due to parental unfitness and failure to protect. The court then relieved DHS of providing reunification services, based on a finding by clear and convincing evidence that Cammack had subjected her children to aggravated circumstances on two bases: (1) the court found that the severe burns to KC2 and the chronic abuse to DR subjected her children to extreme cruelty; and (2) that there was little likelihood that services to the family would result in successful reunification. The court set the permanency plan for the children as termination of parental rights and adoption, or alternatively, relative placement.

On January 26, 2012, the court “without hesitation” terminated Cammack’s parental rights to her four children, taking into consideration the specific challenges related to the adoption of DR due to the mental trauma he suffered in conjunction with the chronic abuse he had endured. The court also weighed the “great potential harm” that could occur if they were returned to their mother. The court’s “potential harm” findings were anchored on the abuse and inexcusable neglect the children suffered as well as Cammack’s lack of cooperation with DHS and her failure to visit her children. The court made an additional finding (without objection) that Cammack had abandoned her children, which the court determined was sufficient to satisfy the “other factors or issues” ground. Finally, the court found that DHS had proved aggravated circumstances, including little likelihood for reunification and subjection of KC2 and DR to chronic abuse.



Cite as 2012 Ark. App. 467

We affirm the termination by this memorandum opinion. Ark. Sup. Ct. R. 5-2(e). Cammack's attorney has fully complied with Ark. Sup. Ct. R. 6-9(i). The core of the circuit court's careful opinion explains why termination is in the best interest of Cammack's four children and follows the governing statute in all particulars. Ark. Code Ann. § 9-27-341(b)(3) (Supp. 2009). We agree that an appeal on the merits would be frivolous, affirm the circuit court's decision, and grant the motion to withdraw. *Linker-Flores v. Ark. Dep't of Human Servs.*, 359 Ark. 131, 194 S.W.3d 739 (2004).

Affirmed; motion to withdraw granted.

ROBBINS and ABRAMSON, JJ., agree.

Deborah R. Sallings, Arkansas Public Defender Commission, for appellant.

No response.