

# ARKANSAS COURT OF APPEALS

DIVISION III

No. CA12-939

BRIAN HUME

APPELLANT

V.

ARKANSAS DEPARTMENT OF  
HUMAN SERVICES AND MINOR  
CHILD

APPELLEES

Opinion Delivered February 13, 2013

APPEAL FROM THE SEBASTIAN  
COUNTY CIRCUIT COURT, FORT  
SMITH DISTRICT  
[NO. JV-2010-403]

HONORABLE MARK HEWETT,  
JUDGE

AFFIRMED; MOTION TO  
WITHDRAW GRANTED

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**PHILLIP T. WHITEAKER, Judge**

Brian Hume appeals from the August 15, 2012 order of the Sebastian County Circuit Court terminating his parental rights to M.C., born January 4, 2010. His attorney has filed a no-merit brief and a motion to withdraw as counsel, contending that there are no meritorious issues that could arguably support an appeal. We agree.

In compliance with *Linker-Flores v. Arkansas Department of Human Services*, 359 Ark. 131, 194 S.W.3d 739 (2004), and Rule 6-9(i) (2012) of the Rules of the Arkansas Supreme Court and Court of Appeals, Hume's counsel ordered the entire record and examined it for adverse rulings. Counsel listed the only adverse ruling in this case—the trial court's decision to terminate appellant's parental rights—and has adequately discussed why there is no arguable merit to an appeal. Hume was provided a copy of his counsel's brief and motion,



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and he was informed of his right to file pro se points. He did not do so. Neither the Arkansas Department of Human Services nor the attorney ad litem filed a responsive brief.

After carefully examining the record and the no-merit brief, we hold that Hume's counsel has complied with the requirements for no-merit parental-termination appeals and that the appeal is wholly without merit. Accordingly, by memorandum opinion we affirm the termination of Hume's parental rights to M.C. *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985); Ark. Sup. Ct. R. 5-2(e) (2012). We also grant counsel's motion to withdraw from representation of Hume.

Affirmed; motion granted.

GLOVER and VAUGHT, JJ., agree.

*Aubrey L. Barr*, for appellant.

No response.