

ARKANSAS COURT OF APPEALS

DIVISION I
No. CA12-992

KAYLA McPHERSON

APPELLANT

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES

APPELLEE

Opinion Delivered April 17, 2013

APPEAL FROM THE LONOKE
COUNTY CIRCUIT COURT
[NO. JV-2011-68]

HONORABLE BARBARA ELMORE,
JUDGE

APPEAL DISMISSED

JOHN MAUZY PITTMAN, Judge

Appellant seeks to appeal an order terminating her parental rights to her three minor children. We dismiss the appeal for want of jurisdiction.

The requirements of a notice of appeal in dependency-neglect proceedings differ from normal procedure in that Arkansas Supreme Court Rule 6-9(b)(1)(B) requires that the notice of appeal and designation of record be signed not only by appellant's counsel but also by the appellant herself if, as here, she is an adult. A notice of appeal in such cases that lacks the signature of the appellant is deficient. *Martin v. Arkansas Department of Health & Human Services*, 369 Ark. 477, 255 S.W.3d 830 (2007). Not every defect in a notice of appeal will deprive the appellate court of jurisdiction, see *Evins v. Carvin*, 2012 Ark. App. 622, but the Arkansas Supreme Court has required strict compliance with the appellant-signature requirement of Rule 6-9(b)(1)(B). See, e.g., *S.F. v. Arkansas Department of Health & Human Services*, 370 Ark. 475, 261 S.W.3d 462 (2007).



Cite as 2013 Ark. App. 238

Although we must dismiss this appeal for lack of jurisdiction, we note that the Arkansas Supreme Court may grant a motion for belated appeal under certain circumstances. *See Garcia v. Arkansas Department of Health & Human Services*, 374 Ark. 144, 286 S.W.3d 674 (2008); *S.F. v. Arkansas Department of Health & Human Services*, *supra*; Ark. R. App. P.–Crim. 2(e).

Appeal dismissed.

GLADWIN, C.J., and VAUGHT, J., agree.

Charles D. Hancock, for appellant.

Tabitha Baertels McNulty, County Legal Operations, for appellee.

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