

ARKANSAS COURT OF APPEALS

DIVISION IV
No. CV-13-120

REBECCA JIMMERSON
APPELLANT

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES AND MINOR
CHILDREN
APPELLEES

Opinion Delivered May 22, 2013

APPEAL FROM THE WASHINGTON
COUNTY CIRCUIT COURT
[NO. J-2011-553-3]

HONORABLE STACEY
ZIMMERMAN, JUDGE

AFFIRMED; MOTION TO BE
RELIEVED GRANTED

DAVID M. GLOVER, Judge

Rebecca Jimmerson’s parental rights to her son, J.S., born May 7, 2003, and to her daughter, J.J., born January 21, 2009, were terminated by an order entered November 20, 2012.¹ 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), Jimmerson’s attorney has filed a no-merit brief asserting that there are no issues that would support a meritorious appeal and a motion requesting to be relieved as counsel. The clerk of this court attempted to provide Jimmerson with copies of her counsel’s motion and brief and to notify Jimmerson of her right to file pro se points of appeal, but the packet was returned to the clerk’s office marked “unclaimed.”

¹J.S.’s father, Charles Sumpter, also had his parental rights terminated in this order, but he is not a party to this appeal. J.J.’s father is unknown.



Cite as 2013 Ark. App. 341

Jimmerson failed to appear for the termination hearing. The sole adverse ruling at the termination hearing was the termination of Jimmerson's parental rights. Testimony from that hearing established that there was sufficient evidence to terminate Jimmerson's parental rights. There was no indication that Jimmerson had made any progress in the many months that the children had been out of her care, and there was no indication that any positive changes would be forthcoming.

After carefully examining the record and the brief presented to us, we hold that counsel has complied with the requirements established by the Arkansas Supreme Court for no-merit appeals in termination cases and conclude that the appeal is wholly without merit. Accordingly, counsel's motion to withdraw is granted, and the order terminating Jimmerson's parental rights is affirmed pursuant to subsections (a) and (b) of *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Affirmed; counsel's motion to be relieved granted.

GRUBER and VAUGHT, JJ., agree.

Leah Lanford, Arkansas Public Defender Commission, for appellant.

No response.