

## ARKANSAS COURT OF APPEALS

DIVISION I  
No. CV-11-1146

RACHAEL BATES-ZINGELMAN  
APPELLANT

V.

ARKANSAS DEPARTMENT OF HUMAN  
SERVICES and MINOR CHILDREN  
APPELLEES

Opinion Delivered June 26, 2013

APPEAL FROM THE RANDOLPH  
COUNTY CIRCUIT COURT  
[No. JV-10-24]

HONORABLE KEVIN KING, JUDGE  
AFFIRMED; MOTION GRANTED

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### LARRY D. VAUGHT, Judge

Rachael Bates-Zingelman appeals from the September 6, 2011 order of the Randolph County Circuit Court terminating her parental rights to J.B.1 (born June 15, 1999); C.B. (born October 10, 2001); J.B.2 (born September 28, 2003); D.B. (born March 10, 2006); and C.Z. (born July 21, 2009). Her 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.<sup>1</sup> 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, Bates-Zingelman's counsel ordered the entire record and examined it for adverse rulings. Counsel has listed the only adverse ruling in this case—the trial court's decision to terminate her parental rights—and has adequately discussed why there is no arguable merit

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<sup>1</sup>This is Bates-Zingelman's counsel's second attempt to file a no-merit appeal. On June 27, 2012, in *Bates-Zingelman v. Arkansas Department of Human Services*, 2012 Ark. App. 426, we ordered rebriefing due to addendum deficiencies.

to an appeal of that decision. Bates-Zingelman was provided a copy of her counsel's brief and motion, and she was informed of her right to file pro se points. She 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 Bates-Zingelman'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 Bates-Zingelman's parental rights to J.B.1, C.B., J.B.2, D.B., and C.Z. *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 Bates-Zingelman.

Affirmed; motion granted.

GLADWIN, C.J., and GLOVER, J., agree.

*Terry Goodwin Jones*, for appellant.

No response.