

**ARKANSAS COURT OF APPEALS
DIVISION IV**

No. CA 10-702

DANIEL BELL and
KAREEM ROLLINSON

APPELLANTS

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES and
MINOR CHILDREN

APPELLEES

Opinion Delivered NOVEMBER 17, 2010

APPEAL FROM THE SEBASTIAN
COUNTY CIRCUIT COURT,
FORT SMITH DISTRICT
[NO. JV-08-615]

HONORABLE MARK HEWETT,
JUDGE

AFFIRMED; MOTION GRANTED

JOHN B. ROBBINS, Judge

Appellants Daniel Bell and Kareem Rollinson appeal from the termination of their parental rights to their children. They are the biological fathers of Domineec Franks's three children. Bell is the father of a daughter DB, born in August 2004. Rollinson is the father of a son DF1, born in January 2007, and daughter DF2, born in February 2008. Ms. Franks voluntarily relinquished her parental rights, so she is not part of this appeal. Neither man was living with the mother in Fort Smith, Arkansas, when the Department of Human Services (DHS) intervened, and both men were incarcerated at the time of the termination-of-parental-rights hearing. The trial court entered an order in April 2010 terminating their parental rights, and both men appealed.

Although the men were represented by separate attorneys at the trial court level, Bell and Rollinson share an appellate attorney. This attorney filed a no-merit brief and a motion to be

relieved, stating that there is no issue of arguable merit in either termination and that she should be relieved as counsel.

In compliance with *Linker-Flores v. Ark. Dep't of Human Servs.*, 359 Ark. 131, 194 S.W.3d 739 (2004) and Arkansas Supreme Court Rule 6-9(i)(2010), their appellate attorney ordered the entire record and examined it for adverse rulings, explaining why each ruling would not support a meritorious argument for reversal. Appellants were provided a copy of their attorney's brief and motion. Only Rollinson filed pro se points for reversal. DHS and the children's attorney chose not to file a brief.

In essence, Bell was incarcerated for the entirety of this case plan, and Rollinson was incarcerated for the majority of it. During these children's lives, neither man had taken on the responsibility of parenting and neither man could because both men were facing years of imprisonment going forward. The children had been in DHS custody for more than a year, and they needed permanency.

After carefully examining the record, the brief, and the pro se points, we hold that the attorney has complied with the requirements established by the Arkansas Supreme Court for no-merit termination cases and that the appeal is wholly without merit. Accordingly, by memorandum opinion we affirm the termination of Bell's parental rights to DB, and we affirm the termination of Rollinson's parental rights to DF1 and DF2. *See In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985); Ark. Sup. Ct. R. 5-2(e)(2010). We also grant their attorney's motion to be relieved from representation.

Affirmed; motion granted.

HART and GRUBER, JJ., agree.