

ARKANSAS COURT OF APPEALS

DIVISION III

No. CA09-706

CHRISTOPHER RISNER and EMILY
RISNER,

APPELLANTS

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES and MINOR
CHILD,

APPELLEES

Opinion Delivered 16 DECEMBER 2009

APPEAL FROM THE CONWAY
COUNTY CIRCUIT COURT
[NO. JV-2008-3]

THE HONORABLE TERRY M.
SULLIVAN, JUDGE

AFFIRMED; MOTION TO
WITHDRAW GRANTED

D.P. MARSHALL JR., Judge

Appointed counsel has filed a no-merit brief and moved to withdraw in this termination-of-parental-rights case. Our clerk sent a copy of these papers to Mr. Risner and Mrs. Risner. They both received the brief and the motion, but neither filed any pro se points.

We affirm the termination by this memorandum opinion. Ark. Sup. Ct. R. 5-2(e). The Risners' attorney has fully complied with Ark. Sup. Ct. R. 6-9(i). The core of the circuit court's careful opinion explains why termination is in the best interests of the Risners' now two-year-old daughter.

The minor child has been adjudicated by the Court to be dependent-neglected, and has resided outside the parental home of the parents for



Cite as 2009 Ark. App. 870

twelve months, and despite a meaningful effort by the Department of Human Services to rehabilitate the home and correct the conditions which caused removal, those conditions have not been remedied by the parents. The parents have only seen the child 3 or 4 times in 14 months. The parents have not attended rehab. The parents have no home. The parents have no income today.

The circuit court's termination decision follows the governing statute in all particulars. Ark. Code Ann. § 9-27-341(b)(3) (Supp. 2009). We agree that an appeal on the merits would be frivolous, affirm the circuit court's decision, and grant the motion to withdraw. *Linker-Flores v. Arkansas Dep't of Human Services*, 359 Ark. 131, 194 S.W.3d 739 (2004).

Affirmed; motion to withdraw granted.

VAUGHT, C.J., and GLOVER, J., agree.

Deborah R. Sallings, Arkansas Public Defender Commission, for appellant.

No response.