

ARKANSAS COURT OF APPEALS

DIVISION IV

No. CA 10-45

TINA FOSTER

APPELLANT

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES

APPELLEE

Opinion Delivered May 5, 2010

APPEAL FROM THE OUACHITA
COUNTY CIRCUIT COURT
[NO. JV 2008-93]

HONORABLE LARRY W.
CHANDLER, JUDGE

AFFIRMED; MOTION GRANTED

COURTNEY HUDSON HENRY, Judge

By an order dated October 7, 2009, the Ouachita County Circuit Court terminated the parental rights of appellant Tina Foster to her three children. On appeal, appellant's attorney has filed a motion to be relieved as counsel pursuant to the decision in *Linker-Flores v. Arkansas Department of Human Services*, 359 Ark. 131, 194 S.W.3d 739 (2004), and Ark. Sup. Ct. R. 6-9(i), asserting that there are no issues of arguable merit to support an appeal. Counsel's motion is accompanied by a brief listing all adverse rulings made at the termination hearing and explaining why there is no meritorious ground for reversal. The clerk of this court sent a copy of counsel's motion and brief to appellant at her last known address, informing her that she had the right to file pro se points for reversal. The post office attempted to deliver the packet but that effort proved unsuccessful. Consequently, appellant has not responded with a list of points on appeal.

Our review of the record reveals that the children were removed from appellant's custody after appellant abandoned the youngest child, who was being treated for a brain disease at Arkansas Children's Hospital. Appellant waived her right to an adjudication hearing, and the trial court found the children to be dependent-neglected. *See* Ark. Code Ann. § 9-27-303(18) (Repl. 2009) & Ark. Code Ann. § 9-27-327 (Repl. 2009). The trial court subsequently entered an order terminating reunification services on grounds of aggravated circumstances. *See* Ark. Code Ann. § 9-27-303(47)(C)(i). Thereafter, the trial court terminated appellant's parental rights, finding the existence of two grounds and concluding that termination was in the children's best interests. *See* Ark. Code Ann. § 9-27-341(b)(3) (Repl. 2009).

From our review, we find that counsel has complied with the rule regarding no-merit appeals, and we also conclude that the appeal is wholly without merit. Accordingly, we grant counsel's motion to be relieved and affirm the termination order.

Affirmed; motion granted.

GLADWIN and BROWN, JJ., agree.