

ARKANSAS COURT OF APPEALS

DIVISION III

No. CA11-786

SONIA BELL

APPELLANT

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES and MINOR
CHILDREN

APPELLEES

Opinion Delivered December 14, 2011

APPEAL FROM THE SEVIER
COUNTY CIRCUIT COURT
[No. JV-2010-34-2]

HONORABLE CHARLES A.
YEARGAN, JUDGE

AFFIRMED; MOTION GRANTED

LARRY D. VAUGHT, Chief Judge

Appellant Sonia Bell appeals from the termination of her parental rights to her children—D.A., born November 24, 1998, S.A., born July 12, 2000, J.A., born April 29, 2006, and S.B., born January 10, 2009.¹ In compliance with *Linker-Flores v. Arkansas Dep't of Human Servs.*, 359 Ark. 131, 194 S.W.3d 739 (2004), and Arkansas Supreme Court Rule 6–9(i)(2010), her appellate attorney ordered the entire record and examined it for adverse rulings, explaining why each ruling would not support a meritorious argument for reversal. Bell was provided a copy of her attorney's brief and motion, and she filed pro se points for reversal. The Department of Human Services (DHS) and the children's attorney chose not to file a brief.

The children were adjudicated dependent-neglected on August 6, 2010, and the court set the goal of the case as relative placement because Bell was incarcerated at the time. She was

¹The trial court also terminated the parental rights of the children's fathers in this proceedings. However, none of the fathers appeared or appealed from the court's decision.



servicing a sixty-month sentence in the Arkansas Department of Correction after pleading guilty to the charge of domestic battery, second degree, a Class C felony, which arose from injuries she inflicted on D.A. and S.A., who had been cut with a knife by Bell. In addition, the record shows ample evidence of “long-term, systematic abuse” occurring in the home.

In fact, DHS first became involved with Bell in 2004, based on her instability as a parent and environmental concerns. In 2005, D.A. and S.A. were removed from the home because of “domestic issues” and Bell testing positive for methamphetamine. Although the children were returned to Bell in 2005, DHS maintained an open protective-services case through June 29, 2007. Then on April 28, 2008, DHS again got involved with the family for environmental concerns, which led to the removal of D.A., S.A., and J.A. on May 16, 2008. The children remained in DHS custody until October 22, 2008, at which time they were returned to Bell, with the protective-services case continuing through August 31, 2009.

In the present case, DHS filed a petition to terminate Bell’s parental rights on January 6, 2011. A hearing on the matter was held on April 28, 2011, and the court terminated Bell’s parental rights to all four children. In its termination-of-parental-rights order, the court found the termination to be in the children’s best interest, and it found them to be adoptable and to face potential harm if returned to Bell. Additionally, the court found that DHS had proved by clear and convincing evidence that additional grounds to support the termination existed—including findings that the parent had been found to have committed a felony battery of a juvenile and that the parent had subjected the juveniles to aggravating circumstances and chronic abuse. Ark. Code Ann. §§ 9-27-341(b)(3)(B)(ix)(a)(2) and -341(b)(3)(B)(ix)(a)(3)(A), (B)(i) (Repl. 2009).



Cite as 2011 Ark. App. 772

After carefully examining the record, the brief, and Bell's pro se points, we hold that her 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 D.A., S.A., J.A., and S.B. *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985); Ark. Sup. Ct. R. 5-2(e). We also grant her attorney's motion to be relieved from representation.

Affirmed; motion granted.

PITTMAN and GRUBER, JJ., agree.