

An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA22-652

Filed 18 April 2023

Union County, Nos. 19 JT 51-53, 55

IN THE MATTER OF: T.P., T.M., H.W., H.W.

Appeal by respondent-mother from orders entered 7 March 2022 and 22 April 2022 by Judge William F. Helms, III, in Union County District Court. Heard in the Court of Appeals 21 March 2023.

*Perry, Bundy, Plyler & Long, L.L.P., by Ashley J. McBride, for petitioner-appellee Union County Department of Social Services.*

*Batch, Poore & Williams, PC, by Sydney Batch, for respondent-appellant mother.*

*Parker, Poe, Adams & Bernstein LLP, by Thomas N. Griffin, III, for guardian ad litem.*

MURPHY, Judge.

Respondent-Mother appeals from the trial court's 7 March 2022 and 22 April 2022 orders terminating her parental rights in T.P., T.M., H.W., and H.W. Counsel for Mother filed a no-merit brief under Rule 3.1(e) of the North Carolina Rules of Appellate Procedure. Mother did not exercise her opportunity to file a *pro se* brief in accordance with Rule 3.1(e).

Counsel filing a Rule 3.1(e) no-merit brief is required to “identify any issues in the record on appeal that arguably support the appeal and must state why those issues lack merit or would not alter the ultimate result.” N.C. R. App. P. 3.1(e) (2023). Here, counsel fully complied with all of the requirements of Rule 3.1(e) and identified two issues for our independent review: (1) Whether the trial court’s determinations of neglect and a likelihood of future neglect were supported by clear, cogent, and convincing evidence and (2) whether the trial court erred in concluding that terminating Mother’s parental rights was in the children’s best interest.

In accordance with *In re L.E.M.*, we have conducted an independent review of the issues raised in the no-merit brief. *In re L.E.M.*, 372 N.C. 396, 402 (2019) (“We conclude that the text of Rule 3.1([e]) plainly contemplates appellate review of the issues contained in a no-merit brief.”). “[W]e are satisfied that the trial court’s order terminating [Mother]’s parental rights is supported by clear, cogent, and convincing evidence and is based on proper legal grounds. Accordingly, we affirm the trial court’s order terminating [Mother]’s parental rights.” *In re K.M.S.*, 380 N.C. 56, 59 (2022).

AFFIRMED.

Judges CARPENTER and RIGGS concur.

Report per Rule 30(e).