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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA22-698

Filed 16 May 2023

Robeson County, Nos. 19 JT 400, 20 JT 17

IN THE MATTER OF:

S.H., C.H.

Appeal by respondent-mother from order entered 14 April 2022 by Judge Gregory A. Bullard in Robeson County District Court. Heard in the Court of Appeals 25 April 2023.

J. Edward Yeager, Jr., for petitioner-appellee Robeson County Department of Social Services.

Poyner Spruill LLP, by Rohun S. Shah, for guardian ad litem.

Parent Defender Wendy C. Sotolongo, by Assistant Parent Defender J. Lee Gilliam, for respondent-appellant mother.

ZACHARY, Judge.

Respondent-Mother appeals from an order terminating her parental rights to her minor children, “Sophia” and “Cameron.”¹ After careful review, we affirm.

I. Background

¹ To protect their identities, we refer to the minor children by the pseudonyms adopted by the parties.

On 25 November 2019, shortly after Cameron was born, the Robeson County Department of Social Services (“DSS”) filed a petition alleging that Sophia was a neglected juvenile. On 29 January 2020, DSS filed a juvenile petition for Cameron, alongside a second juvenile petition for Sophia, alleging that each child was a neglected juvenile. The trial court entered orders for nonsecure custody for both Sophia and Cameron that day.

On 24 April 2020, DSS filed amended juvenile petitions for both children. Both petitions came on for hearing in Robeson County District Court on 13 August 2020. By orders entered 15 October 2020, the trial court adjudicated both children as neglected. The trial court also entered initial disposition orders for both children that same day, continuing their placement in the custody of DSS.

On 16 March 2021, DSS filed a petition to terminate Respondents’ parental rights to Sophia and Cameron.² The termination petition came on for hearing in Robeson County District Court on 23 February 2022. By order entered on 14 April 2022, the trial court concluded that three grounds for termination existed pursuant to N.C. Gen. Stat. § 7B-1111(a) (2021). The trial court determined that it was in the children’s best interests to terminate Respondent-Mother’s parental rights, and so ordered accordingly. Respondent-Mother timely filed notice of appeal.

II. Discussion

² Respondent-Father is not a party to this appeal. Accordingly, this opinion does not discuss the termination of Respondent-Father’s rights.

Respondent-Mother's counsel, finding no merit on which to base an argument for relief, has filed a no-merit brief pursuant to Rule 3.1(e) of the North Carolina Rules of Appellate Procedure on Respondent-Mother's behalf. Although Respondent-Mother's counsel has advised Respondent-Mother of her right to file written arguments on her own behalf with this Court, and provided her with the documents necessary to do so, Respondent-Mother has not filed any written arguments with this Court.

When appellate counsel submits a no-merit brief pursuant to Rule 3.1(e), this Court must "conduct an independent review of the issues set out in the no-merit brief filed by respondent's counsel[.]" *In re L.E.M.*, 372 N.C. 396, 402, 831 S.E.2d 341, 345 (2019). Our appellate courts "review a trial court's adjudication of grounds to terminate parental rights to determine whether the findings are supported by clear, cogent and convincing evidence and the findings support the conclusions of law." *In re I.J.W.*, 378 N.C. 17, 21, 859 S.E.2d 148, 151 (2021) (citation and internal quotation marks omitted). "The trial court's conclusions of law are reviewable de novo on appeal." *Id.* (citation omitted). "The trial court's assessment of a juvenile's best interest at the dispositional stage is reviewed only for abuse of discretion." *In re Z.L.W.*, 372 N.C. 432, 435, 831 S.E.2d 62, 64 (2019).

In the no-merit brief, Respondent-Mother's counsel identified six potential issues that could arguably support an appeal, but explained why he believed each of these issues lacked merit. Based upon our independent review of the issues identified

in the no-merit brief, as well as our careful consideration of the entire record, we conclude that the findings of fact supporting the trial court's adjudication of grounds for termination of Respondent-Mother's parental rights were supported by clear, cogent, and convincing evidence. Furthermore, the trial court did not abuse its discretion in concluding that termination of Respondent-Mother's parental rights was in the best interest of Sophia and Cameron.

III. Conclusion

For the foregoing reasons, we affirm the trial court's order terminating Respondent-Mother's parental rights to Sophia and Cameron.

AFFIRMED.

Judges GORE and GRIFFIN concur.

Report per Rule 30(e).