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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA24-161

Filed 3 September 2024

Beaufort County, No. 20JT109

IN RE J.A.

Appeal by respondent from judgment entered 21 November 2023 by Judge Darrell B. Clayton in Beaufort County District Court. Heard in the Court of Appeals 19 August 2024.

Richard Croutharmel, for the respondent-appellant-father.

Beaufort County DSS Attorney, J. Edward Yeager, Jr., for the petitioner-appellee.

Battle, Winslow, Scott & Wiley, P.A., by M. Greg Crumpler, for the guardian ad litem.

PER CURIAM.

I. Background

Respondent-Father (“Respondent”) appeals from the trial court’s 21 November 2023 order terminating his parental rights to his minor child J.A. *See* N.C. R. App. P. 42(b) (pseudonyms used to protect the identity of minors). Counsel for Respondent has filed a no-merit brief under Rule 3.1(e) of the North Carolina Rules of Appellate Procedure. N.C. R. App. P. 3.1(e). Father did not exercise his opportunity to file a *pro*

se brief in accordance with Rule 3.1(e). *Id.*

II. No Merit Brief

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.” *Id.*

Counsel fully complied with all of the requirements of Rule 3.1(e) and identified three potential issues for our independent review: (1) whether the trial court abused its discretion in denying Respondent’s motion to continue the TPR hearing; (2) whether the trial court reversibly erred in concluding grounds existed to terminate Respondent’s parental rights because the evidence failed to support the findings and the findings failed to support the conclusions; and, (3) whether the trial court abused its discretion when conducting its best interests assessment by terminating his parental rights.

In accordance with the holding in *In re L.E.M.*, we have conducted an independent review of the potential issues raised in the no-merit brief. *In re L.E.M.*, 372 N.C. 396, 402, 831 S.E.2d 341, 345 (2019) (“We conclude that the text of Rule 3.1([e]) plainly contemplates appellate review of the issues contained in a no-merit brief.”). We discern no abuse of discretion in the trial court’s rulings denying the continuance or in its best interest determination. “[W]e are satisfied that the trial court’s order terminating [Respondent’s] parental rights is supported by clear, cogent, and convincing evidence and is based on proper legal grounds.” *In re K.M.S.*, 380

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N.C. 56, 59, 867 S.E.2d 868, 870 (2022).

III. Conclusion

We affirm the trial court's order terminating Respondent-Father's parental rights. *Id. It is so ordered.*

AFFIRMED.

Panel consisting of Judges Tyson, Zachary, and Hampson.

Report per Rule 30(e).