

NO. 23-0961

IN THE SUPREME COURT OF TEXAS

IN RE
X.E., A CHILD

A.A., PETITIONER
VS.
DEPARTMENT OF FAMILY AND
PROTECTIVE SERVICES, RESPONDENT

ON PETITION FOR REVIEW FROM THE
FOURTEENTH COURT OF APPEALS AT HOUSTON, TEXAS

IN THE INTEREST OF
X.E., A CHILD
NO. 14-23-00361-CV

ON APPEAL FROM THE 314TH DISTRICT COURT
HARRIS COUNTY, TEXAS
TRIAL COURT CASE NO. 2022-00633J

**COUNSEL'S MOTION TO WITHDRAW
AFTER FILING *ANDERS* PETITION FOR REVIEW**

TO THE HONORABLE JUSTICES OF THE SUPREME COURT OF TEXAS:

DONALD M. CRANE, appointed appellate counsel for Petitioner, A.A.,
("Father"), files his motion to withdraw and in support thereof respectfully shows:

1. Good cause exists to grant this motion to withdraw. The trial court found Petitioner to be indigent and later terminated his parental rights. Counsel was appointed to represent him on appeal.

2. Contemporaneously with filing this motion to withdraw, Counsel is filing an *Anders* Petition for Review (“Petition”) wherein he concludes that pursuing the referenced appeal in the Supreme Court of Texas is frivolous pursuant to *Anders v. California*, 386 U.S. 738 (1967).

3. Counsel, through correspondence, explained to Petitioner he is still presumed to be indigent and Counsel is obligated to pursue the appeal on his behalf. Counsel also informed him that he has a right to object to this motion, file a *pro se* petition in this Court and have a copy of the appellate record.

4. Counsel further explained pursuant to the *Anders* procedures this Honorable Supreme Court would conduct its own independent review of the record. If this Court determines there is any arguable point of error, this Court will grant counsel’s motion to withdraw and abate the appeal to permit the trial court to appoint new appellate counsel with instructions to file another petition for review.

Alternatively, if this Court concurs that there is no nonfrivolous issue to raise in the petition, it will deny the petition and permit appointed appellate counsel to withdraw.

5. Finally, this motion to withdraw complies with Texas Rules of Appellate Procedure 6.5 and 10.1(a)(5).

WHEREFORE, DONALD M. CRANE, appointed appellate counsel for A.A.,
Petitioner, prays that this motion be granted and he be permitted to withdraw for
good cause.

Respectfully submitted,

CRANE LANE LLP

/s/ Donald M. Crane

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ATTORNEY AD LITEM
ON APPEAL FOR
PETITIONER A.A.

CERTIFICATE OF CONFERENCE

The filing party conferred, or made a reasonable attempt to confer, with all other parties about the merits of the motion and whether those parties oppose the motion and there is no opposition to *Counsel's Motion to Withdraw After Filing Anders Petition for Review*.

/s/ Donald M. Crane

Donald M. Crane

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of December, 2023 a true and correct copy of the foregoing *Counsel's Motion to Withdraw After Filing Anders Petition for Review* was E-served on the following:

Counsel for Respondent/Department of Family and Protective Services:

1. Robert J. Hazeltine-Shedd
Assistant County Attorney
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Attorney Ad Litem for the Child:

2. Jo Ann Weiss Schaffer
Attorney ad litem
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Petitioner via FIRST CLASS, U.S. MAIL at Last Known Address:

3. Mr. A.A.
75 Lake Pointe Drive
#1201
Mail Box A-13
Kingsland, Georgia 31548

Petitioner via CERTIFIED MAIL, RETURN RECEIPT REQUESTED
7016 0750 0000 6687 2786:

4. Mr. A.A.
75 Lake Pointe Drive
#1201
Mail Box A-13
Kingsland, Georgia 31548

/s/ Donald M. Crane
Donald M. Crane

Automated Certificate of eService

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Donald Crane on behalf of Donald Crane
Bar No. 05005900
donmcrane@gmail.com
Envelope ID: 82738740
Filing Code Description: Petition - EXEMPT
Filing Description: Anders Petition for Review
Status as of 12/20/2023 8:02 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Donald MCrane		donmcrane@gmail.com	12/19/2023 7:12:00 PM	SENT