

IN RE AYLLANA D. et al.

Submitted on Briefs January 27, 2011

Decided February 8, 2011

Panel: ALEXANDER, LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

The mother and father appeal from a judgment entered in the District Court (Springvale, *Douglas, J.*) terminating their parental rights to their children pursuant to 22 M.R.S. § 4055(1)(B)(2) (2010). Contrary to both parents' contentions, sufficient evidence exists in the record on which the court could find, by clear and convincing evidence, at least one ground of parental unfitness and that termination of both parents' parental rights was in the children's best interests. *See* 22 M.R.S. § 4055(1)(B)(2); *In re Marcus S.*, 2007 ME 24, ¶ 6, 916 A.2d 225, 227. Additionally, contrary to the mother's contention, the court neither abused its discretion nor violated her due process rights by beginning the termination hearing in her absence. *See In re Trever I.*, 2009 ME 59, ¶ 28, 973 A.2d 752, 760; *In re Robert S.*, 2009 ME 18, ¶ 16 n.1 966 A.2d 894, 898.

The entry is:

Judgment affirmed.

Attorney for the mother:

Jack Hunt, Esq.
PO Box 772
Kennebunk, Maine 04043

Attorney for the father:

Robert H. Smith, Esq.
92 Brackett Street
Westbrook, Maine 04092

**Attorneys for the Maine Department of
Health and Human Services:**

Janet T. Mills, Attorney General
Nora Sosnoff, Asst. Atty. Gen.
Office of the Attorney General
6 State House Station
Augusta, Maine 04333-0006

Springvale District Court docket number PC-2008-10
FOR CLERK REFERENCE ONLY