

IN RE JAIDYN B.

Submitted on Briefs April 27, 2011
Decided May 3, 2011

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

MEMORANDUM OF DECISION

The father of Jaidyn B. appeals from a judgment entered in the District Court (Lewiston, *Beliveau, J.*) finding that the child is in circumstances of jeopardy pursuant to 22 M.R.S. § 4035 (2010). Contrary to the father's contentions, the court did not abuse its discretion in denying the father's motions to permit him to participate in and testify at the jeopardy hearing by contemporaneous transmission. *See* M.R. Civ. P. 43(a); *Malenko v. Handrahan*, 2009 ME 96, ¶¶ 33-34, 979 A.2d 1269, 1277-78; *see also* M.R. Evid. 611(a). In addition, the court's factual findings are fully supported by the evidence, and the court committed no error of law in entering the jeopardy order. *See In re Destiny T.*, 2009 ME 26, ¶ 14, 965 A.2d 872, 876 ("We review a court's jeopardy finding for clear error, upholding it if any evidence in the record can rationally be understood to establish as more likely than not that the child was in circumstances of jeopardy to his [or her] health and welfare."); *see also In re Higerá N.*, 2010 ME 77, ¶¶ 30-32, 2 A.3d 265, 275-76 (affirming an order for termination of parental rights based, in part, on the father's failure to protect the child from the mother's abuse); *In re Adrian D.*, 2004 ME 144, ¶¶ 14-15, 861 A.2d 1286, 1290-91.

The entry is:

Judgment affirmed.

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Lewiston District Court docket number PC-2010-3
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