

IN RE JASMINE C. et al.

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 Jasmine C. and Harleigh-Rae C. appeals from a judgment of the District Court (Presque Isle, *O'Mara, J.*) terminating his parental rights to both children pursuant to 22 M.R.S. § 4055(1)(B)(2) (2010). Contrary to the father's contentions, (1) the court's factual findings reflect that it undertook a critical and independent assessment of all the evidence presented at the hearing, *see In re Heather G.*, 2002 ME 151, ¶ 9, 805 A.2d 249, 251; (2) the court did not base its finding of parental unfitness solely on the father's incarceration, *see In re Cody T.*, 2009 ME 95, ¶ 28, 979 A.2d 81, 85; and (3) there is competent evidence in the record to support the court's findings, by clear and convincing evidence, of at least one ground of parental unfitness, *see In re Thomas D.*, 2004 ME 104, ¶ 21, 854 A.2d 195, 201, and that termination of the father's parental rights is in the children's best interest, *see In re Thomas H.*, 2005 ME 123, ¶¶ 16-17, 889 A.2d 297, 301-02.

The entry is:

Judgment affirmed.

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Presque Isle District Court docket number PC-2009-2
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