

IN RE NATHANIEL T.

Submitted on Briefs May 26, 2016

Decided June 7, 2016

Panel: SAUFLEY, C.J., and ALEXANDER, GORMAN, JABAR, HJELM, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

The mother appeals from a judgment of the District Court (Portland, *Powers, J.*) terminating her parental rights to the child pursuant to 22 M.R.S. § 4055(1)(B)(2) (2015). She argues that the evidence does not support the court's finding that she is unable to protect the child from jeopardy or to take responsibility for the child within a time which is reasonably calculated to meet the child's needs. Contrary to the mother's contention, the trial record amply supports the trial court's findings, to the clear and convincing standard, that she has made little, if any, progress toward resolving her longstanding housing instability, substance dependence, and mental health issues, and that she remains unable to care for the child. *See In re M.S.*, 2014 ME 54, ¶ 14, 90 A.3d 443 (affirming a finding of parental unfitness based upon competent evidence that the mother had failed to engage in mental health counseling or to comply with other elements of her reunification plan); *In re Elijah R.*, 620 A.2d 282, 285 (affirming a finding of parental unfitness where the record demonstrated that the mother was unable to provide the child with a stable home).

The entry is:

Judgment affirmed.

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**On the briefs:**

Mark J. Peltier, Esq., Rioux, Donahue, Chmelecki, and Peltier, LLC, Portland, for appellant mother

Janet T. Mills, Attorney General, and Courtney Goodwin, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Portland District Court docket number PC-2014-85  
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