

IN RE PEYTON M.

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 of Peyton M. appeals from a judgment of the District Court (Ellsworth, *Mallonee, J.*) terminating her parental rights to the child pursuant to 22 M.R.S. § 4055(1)(B)(2) (2015). Contrary to the mother's contentions, there is sufficient competent evidence in the record to support the court's finding, by clear and convincing evidence, that the mother is unable to take responsibility for the child within a time reasonably calculated to meet the child's need for a permanent family. *See In re M.B.*, 2013 ME 46, ¶ 43, 65 A.3d 1260 (concluding that, even if the Department failed to provide reasonable reunification services, the record supported the court's finding of parental unfitness); *In re Jamara R.*, 2005 ME 45, ¶ 22, 870 A.2d 112 (describing the reunification timeframe prescribed by 22 M.R.S. § 4052(2-A)(A), pursuant to which the Department must file a petition to terminate parental rights when a child has been in foster care for fifteen of the most recent twenty-two months despite the parent's efforts to reunify), *overruled in part on other grounds by In re B.C.*, 2012 ME 140, ¶ 14 n.2, 58 A.3d 1118.

The entry is:

Judgment affirmed.

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**On the briefs:**

Sophie L. Spurr, Esq., Ellsworth, for appellant mother

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

Ellsworth District Court docket number PC-2013-59  
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