

IN RE ARIANNA H.

Submitted on Briefs January 19, 2017

Decided January 26, 2017

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

MEMORANDUM OF DECISION

The father of Arianna H. appeals from a jeopardy order entered by the District Court (Bangor, *Larson, J.*) finding that the child was in circumstances of jeopardy to her health or welfare when in his custody. *See* 22 M.R.S. §§ 4002(6)(A), 4035(2) (2016). Contrary to his contention, the evidence was sufficient for the court to make that finding by a preponderance of the evidence. 22 M.R.S. § 4035(2); *see In re Nicholas S.*, 2016 ME 82, ¶¶ 9, 11, 140 A.3d 1226. Furthermore, the court did not clearly err in finding that there was a sufficient foundation to support the admission of the father's drug test result based on his admission to illegal drug use at a related probation revocation proceeding. *See State v. Robinson*, 2015 ME 77, ¶ 21, 118 A.3d 242.

The entry is:

Jeopardy order affirmed.

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Benjamin Fowler, Esq., Bangor, for appellant father

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

Bangor District Court docket number PC-2015-91  
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