

IN RE NOAH D.

Submitted on Briefs February 23, 2017
Decided March 2, 2017

Panel: ALEXANDER, MEAD, GORMAN, JABAR, HJELM, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

The mother of Noah D. appeals from a judgment entered in the District Court (Lewiston, *Oram, J.*) terminating her parental rights to the child pursuant to 22 M.R.S. § 4055(1) (2016). Contrary to the mother's contentions, the record contains sufficient evidence to support the court's findings, by clear and convincing evidence, that the mother is both (1) unwilling or unable to protect the child from jeopardy and (2) unwilling or unable to take responsibility for the child within a time reasonably calculated to meet the child's needs. *See* 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii); *In re K.M.*, 2015 ME 79, ¶ 9, 118 A.3d 812. We further conclude that the court's determination that termination of the mother's parental rights is in the child's best interest constituted neither clear error nor an abuse of discretion. *See* 22 M.R.S. § 4055(1)(B)(2)(a); *In re M.S.*, 2014 ME 54, ¶ 15, 90 A.3d 443; *In re Michaela C.*, 2002 ME 159, ¶ 28, 809 A.2d 1245. We therefore affirm the judgment.

The entry is:

Judgment affirmed.

James P. Howaniec, Esq., Lewiston, 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

Lewiston District Court docket number PC-2014-92
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