

IN RE CHILD OF YVES M.

Submitted on Briefs November 17, 2022

Decided November 29, 2022

Panel: STANFILL, C.J., and MEAD, JABAR, CONNORS, and LAWRENCE, JJ.

MEMORANDUM OF DECISION

Yves M. appeals from a judgment entered by the District Court (Portland, *Cashman, J.*) finding that his child is in circumstances of jeopardy as to his health and welfare pursuant to 22 M.R.S. § 4035 (2022). Contrary to the father's contentions, there was sufficient evidence for the court to rationally find, by a preponderance of the evidence, that the father failed to make himself available to protect the child from the circumstances of jeopardy presented in the mother's home, exposing the child to unsanitary circumstances, incidents of violence, and neglect of the child's academic welfare. *See* 22 M.R.S. §§ 4002(1), (6), 4035 (2022); *In re Children of Alecia M.*, 2020 ME 58, ¶¶ 8-10, 232 A.3d 253; *In re E.A.*, 2015 ME 37, ¶ 9, 114 A.3d 207; *In re Kafia M.*, 1999 ME 195, ¶ 12, 742 A.2d 919.

The entry is:

Judgment affirmed.

Jason A. MacLean, Esq., Bridgton, for appellant father

Aaron M. Frey, Attorney General, and Hunter C. Umphrey, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Portland District Court docket number PC-2021-81
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