

IN RE CHILD OF JONATHAN D.

Submitted on Briefs December 20, 2023

Decided December 28, 2023

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

MEMORANDUM OF DECISION

The father appeals from the District Court’s (Lewiston, *Oram, A.R.J.*) order terminating his parental rights. His attorney followed the procedure we endorsed in *In re M.C.*, 2014 ME 128, ¶ 7, 104 A.3d 139: he submitted a brief reciting the facts and procedural history of the case and stating his belief that “there are no arguable issues of merit” on appeal. *Id.* We allowed the father additional time to file a supplemental brief, which he failed to do.

Competent evidence in the record supports the court’s finding, by clear and convincing evidence, that the father is “unable to protect the child from jeopardy and these circumstances are unlikely to change within a time which is reasonably calculated to meet the child’s needs,” 22 M.R.S. § 4055(1)(B)(2)(b)(i) (2023), and is also “unwilling or unable to take responsibility for the child within a time which is reasonably calculated to meet the child’s needs,” *id.* § 4055(1)(B)(2)(b)(ii); see *In re Child of Katherine C.*, 2019 ME 146, ¶ 2, 217 A.3d 68; *In re Child of Nichole W.*, 2019 ME 167, ¶ 6, 221 A.3d 560. Additionally, the court did not abuse its discretion when it determined that termination of parental rights was in the child’s best interest, because the court properly relied on the need for permanency, both parents’ inability to provide that permanency, and the guardian ad litem’s recommendation that parental rights be terminated. 22 M.R.S. § 4055(1)(B)(2)(a); see *In re Children*

*of Shem A.*, 2020 ME 65, ¶ 10, 232 A.3d 236; *Adoption by Jessica M.*, 2020 ME 118, ¶ 21, 239 A.3d 633; *In re Thomas H.*, 2005 ME 123, ¶¶ 23-30, 889 A.2d 297.

The entry is:

Judgment affirmed.

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Erik T. Crocker, Esq., Farrell, Rosenblatt & Russell, Bangor, for appellant Jonathan D.

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

Lewiston District Court docket number PC-2021-78  
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