

IN RE CHILDREN OF HEATHER B.

Submitted on Briefs December 28, 2022

Decided January 12, 2023

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

MEMORANDUM OF DECISION

Heather B. appeals from a judgment of the District Court (Fort Kent, *Linthicum, J.*) denying her motion for relief from judgment in a child protective case involving her two children. M.R. Civ. P. 60(b).¹ The motion asserted that she had received ineffective assistance from her attorneys at every phase of the case. We agree with the trial court's conclusion that the mother's motion as it related to her counsel's representation at the jeopardy hearing was untimely. *In re Child of Radiance K.*, 2019 ME 73, ¶¶ 56-61, 208 A.3d 380. Although the motion was timely with respect to the judgment terminating her parental rights, we affirm the trial court's denial of the motion based on the mother's failure to meet her burden to present specific facts in her affidavit supporting her contentions. *In re Alexandria C.*, 2016 ME 182, ¶ 16, 152 A.3d 617; *In re Child of Rebecca J.*, 2019 ME 76, ¶ 32, 208 A.3d 405; *In re Children of Brittany B.*, 2020 ME 1, ¶ 13, 223 A.3d 109.

The entry is:

Judgment affirmed.

¹ We affirmed the termination of the mother's parental rights. *In re Children of Heather C.*, Mem 22-77 (Sept. 29, 2022).

Neil J. Prendergast, Esq., Fort Kent, for appellant Heather B.

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

Fort Kent District Court docket number PC-2020-17
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