

IN RE CHILD OF JONATHAN E.

Submitted on Briefs December 28, 2022

Decided January 5, 2023

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

MEMORANDUM OF DECISION

Jonathan E. appeals from a judgment of the District Court (Fort Kent, *Linthicum, J.*) terminating his parental rights to his child. *See* 22 M.R.S. § 4055(1)(A)(1)(a), (1)(B)(2)(a), (b)(i), (ii) (2022). Contrary to his contentions, the court did not err in finding that—notwithstanding the father’s current commitment to reunify with the child—the father is parentally unfit due to his history of misusing substances, failure to participate in reunification services, absence from the child’s life for the ten months preceding the termination hearing, and incarceration, which will render him unavailable for several more months. *See id.* § 4055(1)(B)(2)(b)(i), (ii); *In re Alijah K.*, 2016 ME 137, ¶¶ 14-18, 147 A.3d 1159. Nor did the court err or abuse its discretion in determining that termination of the father’s parental rights is in the best interest of the child, who needs permanency and has a strong bond with a family member who wishes to adopt the child and has provided a safe, happy home for nearly the child’s entire life. *See* 22 M.R.S. § 4055(1)(B)(2)(a); 19-A M.R.S. § 1653(3) (2022); *In re Kenneth S.*, 2017 ME 45, ¶¶ 6-8, 157 A.3d 244.

The entry is:

Judgment affirmed.

Jason A. MacLean, Esq., Bridgton, for appellant Jonathan E.

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-2021-11
FOR CLERK REFERENCE ONLY