

IN RE CHILD OF DANIELLE W.

Submitted on Briefs January 24, 2024

Decided February 1, 2024

Panel: MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Danielle W. appeals from a judgment of the District Court (Portland, *Woodman, J.*) terminating her parental rights to her child.<sup>1</sup> We discern no error in the court's termination of the mother's parental rights.<sup>2</sup> See 22 M.R.S. § 4055(1)(B)(2) (2023). There is sufficient evidence in the record to support the court's findings regarding parental unfitness, the record evidence also supports the court's findings regarding the child's best interest, and the court did not abuse its discretion in concluding that termination of the mother's parental rights was in the child's best interest. See, e.g., *In re Child of Walter C.*,

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<sup>1</sup> The mother's counsel filed both an appellate brief—including a procedural history, statement of facts, and statement that counsel did not believe there were arguable issues of merit on appeal—and a motion for an extension of time to allow the mother to submit a supplemental brief. See *In re M.C.*, 2014 ME 128, ¶¶ 7-8, 104 A.3d 139. The motion was granted, but the mother elected not to file a supplemental brief.

<sup>2</sup> The court did not violate the mother's due process rights when it held the termination hearing despite the mother's absence. See, e.g., *In re A.M.*, 2012 ME 118, ¶¶ 14-18, 27, 55 A.3d 463. The mother had notice of the proceedings, and her counsel was present and had the opportunity to cross-examine witnesses and present evidence. See *In re Zoey H.*, 2017 ME 159, ¶ 4, 167 A.3d 1260. Further, the mother did not attempt to seek relief through any alternative means to supply additional evidence, nor does she provide any indication on appeal of what additional evidence she may have offered or how her participation would have affected the court's decision. See *In re A.M.*, 2012 ME 118, ¶¶ 9, 12, 23-25, 55 A.3d 463; *In re Kaylianna C.*, 2017 ME 135, ¶¶ 10-11, 166 A.3d 976.

2019 ME 121, ¶¶ 4-7, 213 A.3d 113; *In re Zoey H.*, 2017 ME 159, ¶¶ 2-3, 167 A.3d 1260.

The entry is:

Judgment affirmed.

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Dawn M. Corbett, Esq., Law Office of Dawn M. Corbett, PA, Ellsworth, for  
appellant Mother

With leave of the Court, the Department of Health and Human Services did not  
file a brief

Portland District Court docket number PC-2022-08  
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