

IN RE CHILD OF KELLEN A.

Submitted on Briefs February 21, 2024

Decided March 19, 2024

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

MEMORANDUM OF DECISION

Kellen A. appeals from an order entered by the District Court (Portland, *Woodman, J.*) finding that his child is in circumstances of jeopardy in his care, pursuant to 22 M.R.S. § 4035 (2023). Contrary to the father’s contentions, there is sufficient evidence in the record to support the court’s finding of jeopardy by a preponderance of the evidence, *see* 22 M.R.S. § 4002(6) (2023), and the court did not clearly err in its findings, *see In re Child of Whitney M.*, 2020 ME 29, ¶¶ 4-6, 226 A.3d 1155.

Nor did the court abuse its discretion in denying the father’s motion for amended or additional findings and to alter or amend the court’s order. *See Dalton v. Dalton*, 2014 ME 108, ¶ 21, 99 A.3d 723; *Wardwell v. Duggins*, 2016 ME 55, ¶ 9, 136 A.3d 703; *see also* M.R. Civ. P. 52(b). Competent evidence supported the court’s findings, and those findings were sufficient to apprise the parties of the reasoning underlying the court’s conclusions and “to allow for effective appellate review.” *In re Child of Ronald W.*, 2018 ME 107, ¶¶ 1, 3, 190 A.3d 1029; *see* 22 M.R.S. § 4035(2)(B) (“The court shall make findings of fact on the record upon which the jeopardy determination is made.”). Thus, the court was not required to make further findings and did not abuse its discretion in summarily denying the father’s motion. *See Dalton*, 2014 ME 108, ¶ 21, 99 A.3d 723 (“[A] court receiving a Rule 52(b) motion is not required to make additional findings or conclusions.”); *see also In re M.B.*, 2013 ME 46, ¶ 29, 65 A.3d 1260.

The entry is:

Judgment affirmed.

David Paris, Esq., Bath, for appellant father

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

Portland District Court docket number PC-2023-13
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