

ADOPTION BY KATHLEEN C. et al

Argued on June 6, 2024

Decided July 9, 2024

Panel: STANFILL, C.J., and MEAD, HORTON,\* CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Kathleen C. and her husband appeal from a final judgment and adoption decree of the District Court (Skowhegan, *Benson, J.*) denying their adoption petition and granting the adoption petition of the other party petitioning for adoption of the child, following a contested hearing.<sup>1</sup> After carefully reviewing the record, we conclude that the court did not clearly err or abuse its discretion in finding that adoption by the other party petitioning for adoption is in the child's best interest. *Adoption of Paisley*, 2018 ME 19, ¶ 27, 178 A.3d 1228; *In re Caleb M.*, 2017 ME 66, ¶ 33, 159 A.3d 345.

---

\* Although not available at oral argument, Justice Horton participated in this decision. See M.R. App. P. 12(a)(2) ("a qualified Justice may participate in a decision even though not present at oral argument.").

<sup>1</sup> The appellants ask us to consider events which they allege to have occurred since the date of the judgment and the effects that these after-occurring events would have had on the trial court's analysis and weighing of the evidence. We decline to do so. See, e.g., *McMahon v. McMahon*, 2019 ME 11, ¶ 14, 200 A.3d 789 ("We do not consider new facts, new exhibits or other material relating to the merits of the appeal that was not presented to the trial court and included in the trial court record." (quotation marks omitted)).

The entry is:

Judgment affirmed.

---

Jamesa J. Drake, Esq., and Rory A. McNamara, Esq. (orally), Drake Law LLC, Auburn and York, for appellants Kathleen C. and her husband

Jeremiah W. Rancourt, Esq. (orally), Law Office of Joseph M. Baldacci, Bangor, for appellee other petitioning party

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

Skowhegan District Court docket numbers FM-2022-85 and FM-2022-273  
FOR CLERK REFERENCE ONLY