

IN RE GYPSY C.

Submitted on Briefs January 23, 2003
Decided February 25, 2003

Panel: CLIFFORD, RUDMAN, DANA, ALEXANDER, CALKINS, and
LEVY, JJ.

MEMORANDUM OF DECISION

The father of Gypsy C. appeals from a judgment of the District Court (Ellsworth, *Staples, J.*) terminating his parental rights pursuant to 22 M.R.S.A. § 4055(1)(B)(2) (1992). Contrary to the father's contentions, the record supports the court's findings by clear and convincing evidence that he was both unwilling or unable to protect Gypsy from jeopardy within a period reasonably calculated to meet her needs and unwilling or unable to take responsibility for her during that period because he had been incarcerated for multiple counts of rape of a child in Massachusetts, and that termination of parental rights is in Gypsy's best interest. *In re Kevin H.*, 580 A.2d 165, 165 (Me. 1990).

The entry is:

Judgment affirmed.

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