

IN RE PATRICK H.

Submitted on Briefs February 26, 2003
Decided March 5, 2003

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

MEMORANDUM OF DECISION

The father of Patrick H. appeals from the judgment of the District Court (Newport, *MacMichael, J.*) terminating his parental rights. The father is currently serving a forty-five year sentence for the murder of a young woman. His conviction was affirmed on appeal, but the father asserts that a post-conviction proceeding could result in his release at some point in the future. Contrary to the father's contentions, the record supports the court's findings by clear and convincing evidence that the father is unable to protect Patrick from jeopardy and to take responsibility for him, that those circumstances are unlikely to change within a time reasonably calculated to meet the child's needs, 22 M.R.S.A. §4055(1)(B)(2)(b)(i), (ii) (1992), and that termination is in Patrick's best interest,

22 M.R.S.A. § 4055(1)(B)(2)(a) (1992). The court did not err in declining to undertake a collateral review of the father's post-conviction petition.

The entry is:

Judgment affirmed.

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