

ADOPTION OF TIFFANY H.

Submitted on Briefs February 3, 2005
Decided February 22, 2005

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

MEMORANDUM OF DECISION

The father of Tiffany H. appeals from the judgment of the Kennebec County Probate Court (*Mitchell, J.*) granting the mother's petition for termination of his parental rights and freeing Tiffany for adoption by her stepfather. The father asserts that (1) the court erred in finding that he was unable to take responsibility for Tiffany within a time reasonably calculated to meet Tiffany's needs pursuant to 22 M.R.S.A. § 4055(1)(B)(2)(b)(ii) (2004), and (2) termination is not in the child's best interest pursuant to 22 M.R.S.A. § 4055(2) (2004). While incarceration alone does not furnish a basis for automatic termination of parental rights, *see In re Randy Scott B.*, 511 A.2d 450, 455 (Me. 1986), the father's intermittent incarceration, the difficulties he had when not incarcerated in establishing contact with his daughter, even when provided opportunities to do so, and other events in

the father's life, provide a sufficient record of evidence to support termination of parental rights, by clear and convincing evidence, *In re Charles G.*, 2001 ME 3, ¶¶ 7, 10, 763 A.2d 1163, 1166; *In re Daniel C.*, 480 A.2d 766, 769 (Me. 1984).

The entry is:

Judgment affirmed.

Attorney for appellant:

Daniel C. Purdy, Esq.
P O Box 131
Waldoboro, ME 04572

Attorney for appellee:

Mark E. Susi, Esq.
193 Water Street
Hallowell, ME 04347