

IN RE SIERRA M. et al.

Submitted on Briefs September 14, 2006
Decided September 19, 2006

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

MEMORANDUM OF DECISION

The father of Sierra M. and Peary M. appeals a judgment entered in the District Court (Wiscasset, *Mullen, J.*) terminating his parental rights pursuant to 22 M.R.S. § 4055 (2005). Contrary to the father's contentions, the court could have been reasonably persuaded based on the evidence in the record that it was highly probable that the father was unfit and that termination of his parental rights was in the children's best interests. *See* 22 M.R.S. § 4055(1)(B)(2)(a), (b)(i), (ii), (iv); *In re Annie A.*, 2001 ME 105, ¶ 18, 774 A.2d 378, 383. Further, the court did not err when it applied the statutory presumption set forth in 22 M.R.S. § 4055(1-A)(B), (E); *see In re Charles G.*, 2001 ME 3, ¶ 11, 763 A.2d 1163, 1167, or when it found

that the father presented insufficient evidence to rebut the presumption, *see In re Brandi C.*, 1999 ME 68, ¶ 8, 728 A.2d 679, 680-81.

The entry is:

Judgment affirmed.

Attorney for appellant:

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

Attorneys for appellee:

G. Steven Rowe, Attorney General
Page Lockhart, Asst. Atty. Gen.
Matthew Pollack, Asst. Atty. Gen.
6 State House Station
Augusta, ME 04333-0006

Guardian *ad Litem*:

Ervin D. Snyder, Esq.
P.O. Box 909
Wiscasset, ME 04578

Attorney for mother:

William Pagnano, Esq.
431 Main Street
Rockland, ME 04841

Interested parties:

Fayleen C.
Gilbert C. Jr.
230 Turner Road
Bremen, ME 04551