

IN RE ANDREW N.

Submitted on Briefs December 11, 2007
Decided December 20, 2007

Panel: SAUFLEY, C.J., and CLIFFORD, ALEXANDER, LEVY, MEAD, and GORMAN, JJ.

MEMORANDUM OF DECISION

The father of Andrew N. appeals from a judgment entered in the District Court (Lewiston, *Beliveau, J.*) terminating his parental rights to the child pursuant to 22 M.R.S. § 4055 (2006). Contrary to the father's contentions, the record contains sufficient evidence from which the court could rationally find, by clear and convincing evidence, that the father is unwilling or unable to protect the child from jeopardy, that the father is unwilling or unable to take responsibility for the child, and that the father failed to make a good faith effort to rehabilitate and reunify with the child pursuant to 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii), (iv), particularly given the rebuttable presumption of parental unfitness articulated in 22 M.R.S. § 4055(1-A)(D) as a result of having his parental rights to another child previously terminated. *See In re Marcus S.*, 2007 ME 24, ¶ 6, 916 A.2d 225, 227.

There is also sufficient record evidence to support the court's finding, by clear and convincing evidence, that termination is in the child's best interest. *See* 22 M.R.S. § 4055(1)(B)(2)(a); *In re Marcus S.*, 2007 ME 24, ¶ 6, 916 A.2d at 227.

The entry is:

Judgment affirmed.

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