

IN RE HANNAH M.

Submitted On Briefs April 29, 2010
Decided May 6, 2010

Panel: SAUFLEY, C.J., and LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

The mother appeals from a judgment entered in the District Court (Presque Isle, *O'Mara, J.*) terminating her parental rights to Hannah M. pursuant to 22 M.R.S. § 4055 (2009) on the father's petition.

Contrary to the mother's contentions, competent evidence exists in the record to support each of the court's factual findings by clear and convincing evidence. *See In re Heather G.*, 2002 ME 151, ¶ 12, 805 A.2d 249, 252 (stating that factual findings are clearly erroneous when "there is no competent evidence in the record to support [them]" (quotation marks omitted)); *see also In re Chesley B.*, 499 A.2d 137, 138-39 (Me. 1985) ("As always, we leave to the trial judge questions of credibility and weight to be given testimony; [the judge] alone has had the opportunity to observe the witnesses."). Moreover, the mother's argument that her right to due process was violated is without merit because the mother was afforded notice and an opportunity to be heard at the three-day, testimonial hearing at which exhibits and testimony from twelve witnesses were received in evidence. *See In re Matthew W.*, 2006 ME 67, ¶ 8, 903 A.2d 333, 336 (stating that due process requires "requisite findings . . . by clear and convincing evidence, after notice and a hearing" to terminate a parent's fundamental rights to raise his or her child).

The entry is:

Judgment affirmed.

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