

IN RE JOURNEY M.

Submitted on Briefs April 29, 2010
Decided May 11, 2010

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

MEMORANDUM OF DECISION

The mother of Journey M. appeals from a judgment entered in the District Court (Portland, *Goranites, J.*) terminating her parental rights to Journey pursuant to 22 M.R.S. § 4055(1)(B)(2) (2009). Among its other findings, the court concluded that the rebuttable presumptions pursuant to 22 M.R.S. § 4055(1-A)(D), (E) (2009) applied and, therefore, that the mother was unable to protect the child from jeopardy and this circumstance was unlikely to change within a time reasonably calculated to meet the child's needs. The trial court did not err in applying the rebuttable presumptions. *See* 22 M.R.S. § 4055(1-A)(D), (E); *In re Charles G.*, 2001 ME 3, ¶¶ 11-12, 763 A.2d 1163, 1167 (“A rebuttable presumption requires that the party against whom it is directed prove that the nonexistence of the presumed fact is more probable than its existence.” (quotation marks omitted)); *In re Brandi C.*, 1999 ME 68, ¶¶ 8-9, 728 A.2d 679, 680-81.

The entry is:

Judgment affirmed.

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