

IN RE CHILD OF ASHLEY D.

Submitted on Briefs November 17, 2022

Decided November 29, 2022

Panel: STANFILL, C.J., and MEAD, JABAR, CONNORS, and LAWRENCE, JJ.

MEMORANDUM OF DECISION

Ashley D. appeals from a judgment of the District Court (Caribou, *Linthicum, J.*) terminating her parental rights to her child. *See* 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i)-(ii), (iv) (2022). She challenges the sufficiency of the evidence, and primarily argues that the trial court erred and abused its discretion in terminating her parental rights because the Department of Health and Human Services filed the petition prematurely. Contrary to the mother's assertions, the Department may petition for termination at any time, *see* 22 M.R.S. § 4052(1) (2022); *In re Jeremiah Y.*, 2002 ME 135, ¶¶ 6-9, 804 A.2d 357, and the trial court did not err in its findings of unfitness nor did it abuse its discretion in determining that termination of her parental rights is in the child's best interest, *see In re James C.*, 2018 ME 9, ¶¶ 3-5, 177 A.3d 1279; *In re Child of Christine M.*, 2018 ME 133, ¶ 7, 194 A.3d 390.

The entry is:

Judgment affirmed.

Jason A. MacLean, Esq., Bridgton, for appellant mother

Aaron M. Frey, Attorney General, and Hunter C. Umphrey, Asst. Atty. Gen, Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Caribou District Court docket number PC-2021-13
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