

IN RE CHILD OF DELIA S.

Submitted on Briefs May 25, 2022
Decided June 2, 2022

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

MEMORANDUM OF DECISION

Delia S. appeals from a judgment of the District Court (Portland, *Woodman, J.*) terminating her parental rights to her child after a testimonial hearing. Contrary to the mother's contentions, the trial court's denial of the mother's motion to continue and its decision to conduct the hearing in her absence neither constituted an abuse of discretion nor violated the mother's procedural due process rights because the mother had notice of the proceeding and voluntarily forewent her opportunity to participate.¹ See M.R. Civ. P. 4, 5(b); 22 M.R.S. § 4053 (2022); *In re Children of Benjamin W.*, 2019 ME 147, ¶¶ 8-9, 216 A.3d 901; *In re A.M.*, 2012 ME 118, ¶¶ 14-16, 19, 55 A.3d 463; *In re Child of Haley L.*, 2019 ME 108, ¶¶ 15-18, 211 A.3d 1148.

The entry is:

Judgment affirmed.

¹ Although the mother does not challenge the trial court's finding of parental unfitness on all four statutory grounds or its best interest determination, see 22 M.R.S. § 4055(1)(B)(2) (2022), the court's determinations are supported by ample evidence in the record such that no clear error or abuse of discretion is evident. See *In re Child of Olivia F.*, 2019 ME 149, ¶ 5, 217 A.3d 1106.

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Portland District Court docket number PC-2020-65
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