

IN RE CHILD OF DELIA B.

Submitted on Briefs September 8, 2022

Decided September 15, 2022

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

MEMORANDUM OF DECISION

Delia B. appeals from a judgment of the District Court (Lewiston, *S. Driscoll, J.*) terminating her parental rights to her child pursuant to 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i)-(ii) (2022).¹ Contrary to her contention, the evidence admitted at the hearing was sufficient for the court to find by clear and convincing evidence at least one ground of parental unfitness and that termination was in the child's best interest. *See Adoption by Jessica M.*, 2020 ME 118, ¶ 17, 239 A.3d 633; *In re Children of Jason C.*, 2020 ME 86, ¶ 7, 236 A.3d 438. Furthermore, on this record the court did not abuse its discretion in determining that termination, and not a permanency guardianship, was in the child's best interest. *See In re Child of Danielle F.*, 2019 ME 65, ¶ 8, 207 A.3d 1193; *Adoption by Jessica M.*, 2020 ME 118, ¶¶ 21, 23, 239 A.3d 633.

The entry is:

Judgment affirmed.

¹ Because the father was not timely served with notice of the termination hearing at issue in this appeal and did not appear, the court's judgment concerned only the mother. The father has a separate appeal pending concerning the later termination of his rights to the child.

Daniel Dubé, Esq., Lewiston, 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

Lewiston District Court docket number PC-2019-74
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