

IN RE CHILDREN OF NIKI R.

Submitted on Briefs September 21, 2022

Decided September 29, 2022

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

MEMORANDUM OF DECISION

Niki R. and the father appeal from judgments of the District Court (Biddeford, *Sutton, J.*) terminating their parental rights to their children. *See* 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i)-(ii), (iv) (2022).¹ The mother alleges that she received ineffective assistance of counsel. Because she has failed to satisfy certain procedural requirements, namely, the filing of an affidavit specifying the basis for her claim, we deny her claim of ineffective assistance. *See In re Children of Matthew G.*, 2019 ME 106, ¶ 7, 211 A.3d 226; *In re Aliyah M.*, 2016 ME 106, ¶ 10, 144 A.3d 50.

Although the mother does not challenge the sufficiency of the evidence, and the father failed to file a supplemental brief, we nevertheless reviewed the record and conclude that the court did not err in its finding of unfitness, nor did it abuse its discretion in determining that termination of the parents' parental rights is in the children's best interests. *See In re Children of Brandon D.*, 2020 ME 80, ¶¶ 16-19, 235 A.3d 831; *In re Children of Anthony M.*, 2018 ME 146, ¶¶ 10-11, 13-14, 195 A.3d 1229.

¹ The father's counsel filed an appellate brief including a procedural history, statement of facts, and statement that he did not believe that there were arguable issues of merit on appeal. *See In re M.C.*, 2014 ME 128, ¶¶ 7-8, 104 A.3d 139. We authorized the father to submit a supplemental brief, but he elected not to file anything.

The entry is:

Judgments affirmed.

Pamela Holmes, Esq., and Mary-Ann Letourneau, Esq., Holmes Legal Group, LLC,
Wells, for appellant mother

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

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

Biddeford District Court docket number PC-2020-17
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