

IN RE CHILDREN OF TRAVIS G.

Submitted on Briefs October 19, 2022

Decided October 27, 2022

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

MEMORANDUM OF DECISION

Travis G. appeals from a judgment of the District Court (Ellsworth, *Roberts, J.*) terminating his parental rights to his children. *See* 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i)-(ii) (2022). He alleges that his due process rights were violated by the trial court's failure to conduct timely judicial review hearings as required by statute. *See* 22 M.R.S. § 4038(1) (2022). Although the father is correct in asserting that the trial court should have conducted these hearings, it does not amount to a procedural due process violation requiring vacatur. *See In re Children of Bethmarie R.*, 2018 ME 96, ¶ 22, 189 A.3d 252; *In re Cameron W.*, 2010 ME 101, ¶ 4 n.1, 5 A.3d 668; 22 M.R.S. § 4038(2); *see also Adoption of Riahleigh M.*, 2019 ME 24, ¶¶ 20-21, 24-25, 202 A.3d 1174.

The father also challenges the sufficiency of the evidence. Contrary to his assertions, the trial court did not err in its finding of unfitness, nor did it abuse its discretion in determining that termination of his parental rights is in the children's best interests. *See In re Children of Jamie P.*, 2020 ME 85, ¶¶ 8, 10, 236 A.3d 449; *In re Children of Tiyonie R.*, 2019 ME 34, ¶¶ 5-6, 203 A.3d 824.

The entry is:

Judgment affirmed.

William B. Blaisdell, IV, Esq., Blaisdell & Blaisdell, Ellsworth, 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

Ellsworth District Court docket number PC-2018-05
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