

IN RE CHILD OF VICTORIA T.

Submitted on Briefs October 30, 2024
Decided November 7, 2024

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

MEMORANDUM OF DECISION

The mother appeals from a District Court’s (Presque Isle, *Langner, J.*) order finding that her child would be in circumstances of jeopardy if returned to her care. Contrary to the mother’s contention, the court did not err when it determined that there was sufficient evidence in the record to support a jeopardy finding by a preponderance of the evidence. *In re Nicholas S.*, 2016 ME 82, ¶ 9, 140 A.3d 1226; 22 M.R.S. § 4035 (2024); *see In re Cameron W.*, 2010 ME 101, ¶ 2, 5 A.3d 668 (“When the evidence demonstrates that an infant was injured while in the mother’s and father’s exclusive care and control, the court could reasonably infer that one or both parents were responsible for the child’s injuries.”). Nor were the mother’s due process rights violated by delays in scheduling the jeopardy hearing and the resulting delay in the court’s jeopardy determination; the mother had notice of the hearings and full opportunity to present evidence across a three-day hearing. *See In re Heather C.*, 2000 ME 99, ¶ 22, 751 A.2d 448; *In re Chelsea C.*, 2005 ME 105, ¶ 16, 884 A.2d 97.

The entry is:

Judgment affirmed.

Brittany Sawyer, Esq., Holmes Legal Group, LLC, Wells, for appellant Mother

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

Presque Isle District Court docket number PC-2022-23
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