

IN RE FALICIA D. et al.

Submitted on Briefs May 25, 2001
Decided May 29, 2001

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, SAUFLEY,
ALEXANDER, and CALKINS, JJ.

MEMORANDUM OF DECISION

The parents of Falicia D., Zachariah D., Patrick D., and Makayla D. appeal from the judgment entered in the District Court (Ellsworth, *Staples, J.*) terminating their parental rights. Contrary to the parents' contentions: (1) there was sufficient clear and convincing evidence that the parents were unfit pursuant to 22 M.R.S.A. § 4055(1)(B)(2)(b)(i), (ii), and (iv) (1992); (2) the court did not err by employing the presumption found in 22 M.R.S.A. § 4055(1-A)(E) (Supp. 2000) to buttress its finding that the parents were unable to protect the children from jeopardy, and (3) it was in the children's best interest to have their parents' parental rights terminated, 22 M.R.S.A. § 4055(1)(B)(2)(a) (1992). *See generally In re Charles G.*, 2001 ME 3, 763 A.2d 1163. In addition, the court did not exceed the bounds of its discretion when it denied the father's request for a family evaluation pursuant to 22 M.R.S.A. § 4007(3) (1992). *See In re Robin T.*, 651 A.2d 337, 338-39 (Me. 1994).

The entry is:

Judgment affirmed.

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