

IN RE MARK B. et al.

Submitted on Briefs September 5, 2002
Decided October 3, 2002

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

MEMORANDUM OF DECISION

The mother of Mark and Jeremy B. appeals from a jeopardy order with an aggravating factor of abandonment entered in District Court (Newport, *MacMichael, J.*). The court's findings that the children were traumatized and needed stabilization, that the mother had abandoned them, and that domestic violence had occurred in her household support the court's jeopardy finding. *In re Colby E.*, 669 A.2d 151, 152 (Me. 1995) (the parent need not cause jeopardy; she need only be unable to protect her children from jeopardy). The record also supports the court's finding of the aggravating factor of abandonment pursuant to 22 M.R.S.A. §§ 4002(1-B)(A)(1), 4036(1)(G-2), 4041(2)(A-1) (Supp. 2001).

The entry is:

Judgment affirmed.

Attorney for appellant:

Schuyler G. Steele, Esq.
P O Drawer F
Newport, ME 04953

Attorneys for defendant:

G. Steven Rowe, Attorney General
Patrick Downey, Asst. Attorney General
Matthew Pollack, Asst. Attorney General
6 State House Station
Augusta, ME 04333-0006

Guardian *ad Litem*:

Wayne Doane, Esq.
P O Box 60
Exeter, ME 044356-0060

Attorneys for other parties:

Randy Day, Esq.
181 Day Road
Garland, ME 04939 (for father)

Kenneth Fredette, Esq.
P O Box 70
Newport, ME 04953 (for intervenor)