

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

M. M., Natural Father of L. H. K.,
Minor Child,

Appellant,

v.

DEPARTMENT OF CHILDREN
AND FAMILY SERVICES,

Appellee.
_____ /

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D07-6527

Opinion filed August 15, 2008.

An appeal from the Circuit Court for Bay County.
James B. Fensom, Judge.

William M. Atkinson, Jr., Panama City, for Appellant.

Amy Thome and Adrienne C. Rodgers, Panama City, for Appellee.

Jennifer S. Paullin, Appellate Counsel, Guardian Ad Litem Program, Orlando.

BENTON, J.

“[T]he availability of a nonadoptive placement with a relative may not . . . be considered as a factor weighing against termination of parental rights.” § 39.810(1),

Fla. Stat. (2006). Since the child's mother's parental rights were terminated earlier, the "child will not be reunited with a parent, [and] adoption, under chapter 63, is the primary permanency option." § 39.621(6), Fla. Stat. (2006). As the Department of Children and Family Services acknowledges, "the trial court here has not precluded the paternal great grandmother from being among that number seeking to adopt L.K."

AFFIRMED.

VAN NORTWICK and HAWKES, JJ., CONCUR.