

IN THE UTAH COURT OF APPEALS

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State of Utah, in the interest)	MEMORANDUM DECISION
of R.T., a person under)	(Not For Official Publication)
eighteen years of age.)	
_____)	Case No. 20080097-CA
)	
T.T.,)	F I L E D
)	(April 3, 2008)
Appellant,)	
)	2008 UT App 124
v.)	
)	
State of Utah,)	
)	
Appellee.)	

Third District Juvenile, Salt Lake Department, 445522
The Honorable Kimberly K. Hornak

Attorneys: Julie George, Salt Lake City, for Appellant
Mark L. Shurtleff and John M. Peterson, Salt Lake
City, for Appellee
Martha Pierce and Kristin Fadel, Salt Lake City,
Guardians Ad Litem

Before Judges Bench, Davis, and Orme.

PER CURIAM:

T.T. (Father) appeals the termination of his parental rights in R.T. Father does not dispute the juvenile court's findings or conclusions, admitting that the facts and law were correctly determined. He asserts, however, that the termination of his rights was unfair because he loves his son. This assertion fails to present a legal issue for review on appeal. Because Father concedes there was no juvenile court error, we affirm.

Furthermore, the termination of Father's rights was not unfair to him. Father has been imprisoned for most of R.T.'s life and has not seen him since he was one year old. Father does not have any relationship with R.T. Father is not eligible for release until 2010. His continued incarceration is of such a length that it will deprive R.T. of a normal home for more than one year, fully supporting the termination of his parental

rights. Accordingly, because Father is unfit, the primary concern is R.T.'s best interests and what is fair to him, which is freeing him for adoption and permanency. Even though Father loves R.T., it is R.T.'s interests that are paramount at this point.

Affirmed.

Russell W. Bench, Judge

James Z. Davis, Judge

Gregory K. Orme, Judge