ARKANSAS COURT OF APPEALS

DIVISION I
No. CA07-1304

Opinion Delivered December 3, 2008

KHEVAJA NAZIMUDDIN APPELLANT	APPEAL FROM THE SCOTT COUNTY CIRCUIT COURT, [NO. PRO-2006-6]
V.	HONORABLE TERRY SULLIVAN, JUDGE
BRYAN SELF and CHRISTY SELF APPELLEES	AFFIRMED

LARRY D. VAUGHT, Judge

Appellant Khevaja Nazimuddin appeals the trial court's grant of summary judgment in favor of appellees Bryan and Christy Self finding that Nazimuddin did not have standing to object to the adoption of his natural grandchild, R.T.S., under the provisions of the Uniform Child-Custody Jurisdiction and Enforcement Act, codified at Ark. Code Ann. § 9-19-101 (Repl. 2008). Nazimuddin argues the question on appeal is not one of standing, but rather one of jurisdiction. He contends that—in violation of the UCCJEA—the Selfs illegally pursued an adoption in Arkansas without notice to the Texas court that had granted him visitation rights in a valid court-custody order. We affirm.

The genesis of this case is an order dated November 15, 2005, wherein a Montgomery County, Texas, court set out the following provision relating to Nazimuddin's "possession" of R.T.S.:

> *Prior to the Standard Possession Order beginning*, KHEVAJA NAZIMUDDIN and LINDA NAZIMUDDIN shall have two weekend periods of possession of the child exercised beginning at 10:00 a.m. and ending at 5:00 p.m. on Saturday and beginning at 10:00 a.m. and ending at 5:00 p.m. on Sunday . . . .

However, immediately after stating that Nazimuddin was granted the two weekends of possession "[p]rior to the Standard Possession Order beginning" the order went on to state that "IT IS ORDERED that each conservator shall comply with all terms and conditions of the Standard Possession Order." As such, once the "Standard Possession Order" was in force, Nazimuddin's pre-order "possessory" visitation rights were expired. In other words, the precise order that referenced and created Nazimuddin's independent interest in his grandchild also extinguished it. All other rights to visitation with R.T.S. that Nazimuddin received by virtue of the Texas court order flowed through Eric Nazimuddin, who is R.T.S.'s biological father and Nazimuddin's son.

Three months later, on February 8, 2006, the Selfs filed a "Complaint for Adoption" in Arkansas. On the same day, a "Consent to Adoption" was entered, wherein Eric Nazimuddin relinquished all of his rights to R.T.S. Then, on February 24, 2006, a final adoption decree was entered. In the order, the trial court specifically acknowledged that the child's natural father, Eric Nazimuddin, consented to the adoption and that his consent had not been withdrawn prior to the entry of the final decree.

After a careful de novo review of both the Texas and Arkansas proceedings and the UCCJEA, we too are convinced that Nazimuddin lacks standing to challenge the Arkansas adoption. Once Eric Nazimuddin consented to the adoption of R.T.S. and relinquished all

of his rights to the child, there was no longer a fountainhead from which Nazimuddin's possessory rights could flow. As such, we affirm the trial court's grant of summary judgment finding that Nazimuddin did not have standing to lodge a UCCJEA objection to the adoption of R.T.S.

Affirmed.

GLADWIN and HUNT, JJ., agree.