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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA14-1197

Filed: 7 April 2015

Guilford County, Nos. 12 JT 523-24, 528

IN THE MATTER OF:

A.T.H.,III, R.L.H., E.O.H.

Appeal by respondent-father from order entered 4 August 2014 by Judge Michelle Fletcher in Guilford County District Court. Heard in the Court of Appeals 16 March 2015.

Mercedes O. Chut for petitioner-appellee Guilford County Department of Health and Human Services.

Poyner Spruill LLP, by Meghan E.B. Pridemore, for guardian ad litem.

Richard Croutharmel for respondent-appellant father.

HUNTER, JR., Robert N., Judge.

Respondent-father (“respondent”) appeals from the trial court’s order terminating his parental rights to his minor children, A.T.H.,III, R.L.H., and E.O.H. (collectively, “the children”). We affirm.

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In November 2012, the Guilford County Department of Health and Human Services (“DHHS”)¹ filed juvenile petitions alleging that the children were neglected and dependent. The petitions indicated that DHHS had a history with the family, beginning in 2012. DHHS alleged the children’s parents lacked stable housing, had a history of domestic violence, and had substance abuse problems. The children’s mother was also alleged to have severe and untreated mental health issues. The children were placed in nonsecure custody with DHHS.

At a hearing on 21 March 2013, the trial court adjudicated the children as neglected and dependent juveniles. Respondent was not present at the adjudication and disposition hearing because he had absconded from probation. The court ordered respondent to enter into a service agreement with DHHS and comply with its provisions. Respondent’s visitation with the children was suspended until he entered into the service agreement and presented himself to the court.

Respondent was subsequently arrested, and his probation for drug-related charges was revoked in May 2013. As a result, he was incarcerated until 14 January 2014. During his incarceration, respondent completed a job readiness class and attended nine meetings of Narcotics Anonymous. From June to December 2013, respondent was employed in the Food Services division of his prison, where he earned forty cents per hour. Respondent did not send any of these wages to his children.

¹ Petitioner’s name was changed from Guilford County Department of Social Services during the course of the proceedings.

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On 15 July 2013, DHHS filed a petition seeking to terminate respondent's parental rights to the children. In response, respondent sent a letter to DHHS asserting that he was willing to do whatever it took to reunite with his children. However, after he was released from prison, respondent only contacted his social worker twice, and he did not inquire about the children during either conversation. Respondent also resumed using marijuana. Respondent completed eight hours of parenting classes, but failed to enroll in substance abuse or domestic violence programs.

A hearing on the termination petition was conducted in April and May 2014. On 4 August 2014, the trial court entered an order which concluded that grounds existed to terminate respondent's parental rights based on neglect, N.C. Gen. Stat. § 7B-1111(a)(1) (2013), failure to pay a reasonable portion of the cost of the children's care, N.C. Gen. Stat. § 7B-1111(a)(3) (2013), and abandonment, N.C. Gen. Stat. § 7B-1111(a)(7) (2013). The court further concluded that termination was in the children's best interests. Respondent appeals.²

Counsel for respondent has filed a no-merit brief on his behalf pursuant to N.C. R. App. P. 3.1(d) (2013) stating that "[a]fter a conscientious and thorough review of the record and the relevant law," counsel is "unable to identify any issues with sufficient merit on which to base an argument for relief on appeal." Counsel asks this

² Although the children's mother initially appealed the trial court's order, which also terminated her parental rights, she withdrew her appeal on 27 October 2014.

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Court to conduct an independent review of the record for possible error. Counsel has also demonstrated that he has advised respondent of his right to file written arguments with this Court and provided him with the documents necessary to do so. Respondent has not filed his own written arguments.

Consistent with the requirements of Rule 3.1(d), counsel directs our attention to potential issues with the district court's adjudication of grounds to terminate respondent's parental rights and its conclusion that termination was in the children's best interests. However, counsel acknowledges that these issues do not provide a meritorious basis for appeal.

After careful review, we are unable to find any possible prejudicial error by the trial court. The termination order includes sufficient findings of fact, supported by clear, cogent, and convincing evidence, to conclude that at least one statutory ground for termination existed. *See In re Taylor*, 97 N.C. App. 57, 64, 387 S.E.2d 230, 233-34 (1990) (explaining that any one of the enumerated grounds is sufficient to support termination). Moreover, the court made appropriate findings on each of the relevant dispositional factors and did not abuse its discretion in assessing the children's best interests. N.C. Gen. Stat. § 7B-1110(a) (2013). Accordingly, we affirm the order terminating respondent's parental rights.

AFFIRMED.

Judge STROUD and Judge DILLON concur.

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Report per Rule 30(e).