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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA17-297

Filed: 5 September 2017

Wake County, No. 15 JT 276

IN THE MATTER OF: D.M.P., Jr.

Appeal by Father from order entered 6 December 2016 by Judge Keith Gregory in Wake County District Court. Heard in the Court of Appeals 8 August 2017.

*Wake County Attorney's Office, by Mary Boyce Wells, for Petitioner-Appellee Wake County Human Services.*

*Miller & Audino, LLP, by Jay Anthony Audino, for Respondent-Appellant Father.*

*Kilpatrick Townsend & Stockton LLP, by Susan H. Boyles and Chris W. Haaf, for Guardian ad Litem.*

DILLON, Judge.

Father appeals from an order terminating his parental rights to D.M.P, Jr. After careful review, we affirm.

In September 2015, Wake County Human Services (“WCHS”) obtained nonsecure custody of the juvenile and filed a petition alleging that he was neglected and dependent based in part on domestic violence between the parents and unstable housing. The parties consented to an order adjudicating the juvenile neglected and

dependent, which was entered in November 2015. In the dispositional portion of the order, the trial court determined that it was in the juvenile's best interest to remain in WCHS custody.

In September 2016, WCHS filed a motion to terminate Father's parental rights to the juvenile based on a number of grounds, pursuant to N.C. Gen. Stat. §§ 7B-1111(a)(1)-(3), (5)-(7) (2015). Three months later, the trial court entered an order concluding that termination of Father's parental rights was justified based upon two of the grounds; namely, neglect and failure to make reasonable progress. The trial court also concluded that termination of parental rights was in the juvenile's best interest. Father gave timely notice of appeal. The parental rights of the juvenile's mother were also terminated, but she has not appealed.

Father's counsel has filed a no-merit brief on his behalf in which counsel states that after a "conscientious and thorough review of the record on appeal," he concludes "that the record contains no issue of merit on which to base an argument for relief and the appeal would be frivolous." Pursuant to N.C. R. App. P. 3.1(d), counsel requests that this Court conduct an independent examination of the case. Counsel has also shown to the satisfaction of this Court that he has advised Father of his right to file written arguments with this Court, and counsel has provided him with the documents necessary to do so. Father has not filed any written arguments.

In addition to seeking review pursuant to Rule 3.1(d), counsel directs this Court's attention to potential issues with respect to the trial court's conclusions that grounds existed to terminate his parental rights. Counsel, however, failed to discover any reversible or prejudicial error on the part of the trial court. We agree.

After carefully reviewing the transcript and record, we are unable to find any possible prejudicial error in the trial court's order. The trial court's findings of fact support at least one ground for termination, *see* N.C. Gen. Stat. § 7B-1111(a), and the court did not abuse its discretion in determining that termination was in the best interest of the juvenile. Additionally, the trial court did not err in denying Father's motion for a continuance at the outset of the termination hearing. Accordingly, we find no prejudicial error in the trial court's order terminating Father's parental rights to the juvenile.

AFFIRMED.

Judges CALABRIA and DAVIS concur.

Report per Rule 30(e).