

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

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2023 ND 31

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In the Interest of V.C., minor child

State of North Dakota,

Plaintiff and Appellee

v.

V.C., a child; C.G., her father; and The

Director of Roughrider Human Service Zone,

Respondents

and

C.A., her mother,

Respondent and Appellant

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No. 20220381

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Appeal from the District Court of Stark County, Southwest Judicial District,  
the Honorable James D. Gion, Judge.

AFFIRMED.

Per Curiam.

James A. Hope, Assistant State's Attorney, Dickinson, ND, for plaintiff and  
appellee; submitted on brief.

Samuel A. Gereszek, Grand Forks, ND, for respondent and appellant.

**Interest of V.C.  
No. 20220381**

**Per Curiam.**

[¶1] C.A. appeals from a district court’s judgment terminating her parental rights to daughter, V.C. C.A. argues the district court erred by finding there was clear and convincing evidence the child was in need of protection, and in calculating the number of nights the child was in foster care.

[¶2] The district court considered the requirements of N.D.C.C. § 27-20.3-20(1)(c) (stating the court may terminate parental rights if the child is in need of protection and the court finds that the conditions and causes of the need for protection are likely to continue or that the child has been in foster care for at least 450 out of the previous 660 nights), and found there was clear and convincing evidence the child was in need of protection, the conditions and causes of the need for protection were likely to continue or would not be remedied and for that reason the child was suffering or would probably suffer serious physical, mental, moral, or emotional harm, and the child was in foster care for at least 450 out of the previous 660 nights. We conclude the court’s findings are supported by clear and convincing evidence and are not clearly erroneous. *See In re A.L.E.*, 2018 ND 257, ¶ 4, 920 N.W.2d 461 (stating the elements required for termination of parental rights must be established by clear and convincing evidence and the court’s findings are reviewed under the clearly erroneous standard of review). We also conclude the court did not abuse its discretion when it terminated C.A.’s parental rights. *In re J.J.G.*, 2022 ND 236, ¶ 9, 982 N.W.2d 851 (stating a court has discretion in deciding whether to terminate parental rights).

[¶3] We summarily affirm under N.D.R.App.P. 35.1(a)(2) and (4).

[¶4] Jon J. Jensen, C.J.  
Daniel J. Crothers  
Lisa Fair McEvers  
Jerod E. Tufte  
Douglas A. Bahr