

IN THE COURT OF APPEALS OF TENNESSEE
AT NASHVILLE
Assigned on Briefs June 2, 2016

IN RE TIANNA B.

**Appeal from the Hamilton County Juvenile Court
No. 263525 Robert D. Philyaw, Judge**

**No. E2015-02189-COA-R3-PT
FILED-JULY 6, 2016**

CHARLES D. SUSANO, JR., J., concurring in part and dissenting in part.

I concur completely in the majority's opinion terminating the parental rights of Myron J. T. based upon the provisions of Tenn. Code Ann. § 36-1-113(g)(1) and § 36-1-102(1)(A)(i). I dissent from so much of the majority's decision as holds that father does not fall within the ambit of Tenn. Code Ann. § 36-1-113(g)(9)(A) and § 36-1-117(c). I would hold that father is within the class of persons covered by these latter two statutes. On this point, I adhere to the majority opinion authored by me in the case of *In re F.N.M.*, No. M2015-00519-COA-R3-PT, 2016 WL 3126077 (Tenn. Ct. App., filed Apr. 11, 2016).

CHARLES D. SUSANO, JR., JUDGE