

IN THE INTEREST OF: : IN THE COURT OF COMMON PLEAS OF
S. H. a minor child, : LYCOMING COUNTY, PENNSYLVANIA
: ORPHANS' COURT DIVISION
:
: NO. 5845
:
: 1925(a) OPINION

Date: June 7, 2005

**SUPPLEMENTAL OPINION IN SUPPORT OF THE ORDER OF MARCH 4, 2005
IN COMPLIANCE WITH RULE 1925(a) OF THE RULES OF APPELLATE
PROCEDURE**

This court previously filed a Rule 1925(a) Opinion on May 20, 2005. Subsequently, on May 24, 2005, Appellants filed a concise Statement of Matters Complained of on Appeal pursuant to Pa.R.A.P. 1925(b).

The court believes, as stated in its May 20, 2005 Opinion, that the reasons and findings set forth in its Order of March 4, 2005 adequately explain the court's reasoning in issuing the termination decree in this case. There is, however, one error asserted in the Statement of Matters that may not have been addressed in the original findings and Order of March 4, 2005. In item "i" of the Statement of Matters, Appellant asserts, "Evidence regarding drug use of P.L. (mother) during her pregnancy to a child not the subject of the above captioned proceedings was improperly admitted and prejudicial."

At trial, the court determined that evidence of P.L.'s illegal drug use and abuse was relevant as to her ability to parent and care for her children. This was stated of record several times when the objection was raised. See, e.g., Notes of Testing 3/1/05, pp. 33-35. Mother's continued drug use was an indication of her unwillingness to make sacrifices to assure the safety of her children.

Accordingly, this Court believes that its prior Order should be upheld.

BY THE COURT,

William S. Kieser, Judge

cc: Charles Greevy, III, Esquire
Eric Linhardt, Esquire
Charles Brace, Esquire
Judges
Christian Kalas, Esquire
Gary L. Weber, Esquire (Lycoming Reporter)