

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,
PENNSYLVANIA
ORPHANS' COURT DIVISION**

IN RE: : **NO. 6360**
:
CS, JR., and :
CL, :
:
minor children, :

Date: May 6, 2013

**OPINION IN SUPPORT OF THE ORDER OF MARCH 21, 2013, IN COMPLIANCE
WITH RULE 1925(a)(2) OF THE RULES OF APPELLATE PROCEDURE**

ML, (hereinafter "Mother") has appealed this Court's March 21, 2013 Order.

Mother filed her appeal on April 5, 2013 and the appeal is docketed to 625 MDA 2013.

This Opinion is submitted in regard to the pending appeal.

In Mother's Concise Statement of Matters Complained of on Appeal (hereinafter "Concise Statement"), filed April 5, 2013, Mother raised the following issue:

1. The Court erred in determining that clear and convincing evidence existed to show that Defendant had a settled purpose to relinquish a parental claim un 23 Pa. C.S. § 2511 (a)(2), (a)(5), and (a)(8) in that Mother has attempted and continues to attempt to remedy conditions that led to placement and has maintained regular contact with her children.

This Court has reviewed Concise Statement filed by Mother on April 5, 2013.

The Opinion and Order of March 21, 2013 is a comprehensive accounting of the evidence presented, findings of facts, and analysis. The Court relies on that Opinion and Order for this appeal. The findings of the Court are supported by the Transcript and exhibits of the hearing held on April 5, 2013.

The Court will briefly address the fact that in the Order of March 21, 2013 this Court found that the Agency had proved by clear and convincing evidence the termination of Mother's parental rights under 23 Pa. C.S. § 2511 (a) (1), (2), (5), and (8). The Court did an analysis of each subsection. In her Concise Statement Mother only alleges an error on the findings under 23 Pa. C.S. § 2511 (a) (2), (5), and (8); Mother does not allege that the Court erred in terminating Mother's parental rights under 23 Pa. C.S. § 2511 (a) (1). On that basis alone Mother's appeal should be dismissed and the Court Order of March 21, 2013 affirmed.

As the Agency met their burden of proving through clear and convincing evidence the elements of 23 Pa. C.S. § 2511 (a)(1) which is undisputed and additionally under 23 Pa. C.S. § 2511 (a) (2), (5), and (8) the appealed should be dismissed and the Court's Order of March 21, 2013 affirmed.

By the Court,

Joy Reynolds McCoy, Judge