

IN THE COURT OF APPEALS OF IOWA

No. 1-030 / 10-1034
Filed February 23, 2011

**IN THE INTEREST OF C.L.S.,
Minor Child,**

J.H., Mother,
Petitioner-Appellee,

D.G.S., Father,
Respondent-Appellant.

Appeal from the Iowa District Court for Davis County, William S. Owens,
Associate Juvenile Judge.

A father appeals the termination of his parental rights to his child.

AFFIRMED.

Robert F. Bozwell Jr. of Bozwell Law Office, Centerville, for appellant.

Kathryn J. Salazar of Day, Meeker, Lamping, Schlegel & Salazar,
Washington, for appellee.

John R. Silko of John Silko Law Office, Bloomfield, attorney and guardian
ad litem for minor child.

Considered by Vaitheswaran, P.J., and Eisenhauer and Danilson, JJ.

VAITHESWARAN, P.J.

A mother of a child born in 2003 petitioned to terminate the parental rights of the child's father. She alleged that the father abandoned the child and failed to pay child support. See Iowa Code § 600A.8(3)(b), (4) (2009). Following a hearing, the juvenile court granted the petition. On appeal, the father contends (1) the record lacks evidence that he abandoned the child and (2) termination was not in the child's best interests.

I. Iowa Code section 600A.8(3)(b) provides in pertinent part that a parent is deemed to have abandoned the child “unless the parent maintains substantial and continuous or repeated contact with the child as demonstrated by contribution toward support of the child of a reasonable amount, according to the parent's means” and specified contact with the child. Section 600A.8(4) provides that a parent is deemed to have abandoned a child where he or she “has been ordered to contribute to the support of the child or financially aid in the child's birth and has failed to do so without good cause.” Our review of the record is de novo. *In re R.K.B.*, 572 N.W.2d 600, 601 (Iowa 1998).

At the time of the termination hearing in February 2010 the father was incarcerated for second-degree burglary as a habitual offender and had a tentative discharge date of 2013. He was denied parole for writing threatening letters directed at the mother. He had not seen the child since 2006 and had paid a mere \$1.56 towards his outstanding child support obligation of \$14,736. Based on this record, we fully concur in the juvenile court's conclusion that the cited statutory grounds for termination were satisfied.

II. Iowa Code section 600A.1 states “[t]he best interest of the child subject to the proceedings of this chapter shall be the paramount consideration in interpreting this chapter.” Termination of the father’s parental rights was in the child’s best interests, as the father had not seen the child for approximately five years, had threatened and disparaged the mother in letters written to the child, and had threatened to harm the mother’s husband.

We affirm the termination of the father’s parental rights to his child.

AFFIRMED.