

IN THE COURT OF APPEALS OF IOWA

No. 7-419 / 07-0756

Filed June 13, 2007

IN THE INTEREST OF C.P., Minor Child,

S.P., Mother,
Appellant.

Appeal from the Iowa District Court for Clay County, Donavon D. Schaefer, District Associate Judge.

Mother appeals the termination of her parental rights to her child.

AFFIRMED.

Fred Blake Perkins of Thul Law Firm, Whittemore, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant Attorney General, Michael J. Houchins, County Attorney, and Charles K. Borth, Assistant County Attorney, for appellee.

John P. Greer, Spencer, guardian ad litem for minor child.

Considered by Mahan, P.J., and Eisenhauer and Baker, JJ.

EISENHAUER, J.

A mother appeals the termination of her parental rights to her child. She contends the court erred in failing to make a specific finding that the grounds for termination were proved by clear and convincing evidence. She did not file a motion to enlarge pursuant to Iowa Rule of Civil Procedure 1.904(2) and therefore error is not preserved. See *In re A.M.H.*, 516 N.W.2d 867, 872 (Iowa 1994).

Even if error was preserved, upon de novo review of the entire record, *In re C.H.*, 652 N.W.2d 144, 147 (Iowa 2002), we conclude there is clear and convincing evidence to warrant termination pursuant to Iowa Code section 232.116(1)(f) (2007). There is no dispute the first three elements have been proved. Additionally, there is clear and convincing evidence the child cannot be returned to the mother's custody. See Iowa Code § 232.116(1)(f)(4). The evidence shows the mother does not have the ability to appropriately care for or protect her child at the present time and would be unable to resume care for the child in the immediate future. We also note with approval the trial court's observation of the child's rapid development after placement in foster care and conclusion that termination is in the child's best interest. Accordingly, we affirm.

AFFIRMED.