

IN THE COURT OF APPEALS OF IOWA

No. 8-095 / 07-2128
Filed February 13, 2008

IN THE MATTER OF T.L., Minor Child,

D.L.A., Father,
Appellant.

Appeal from the Iowa District Court for Black Hawk County, Daniel L. Block, Associate Juvenile Judge.

Father appeals the order terminating his parental rights to his child.

AFFIRMED.

Mary Kennedy, Waterloo, for appellant.

Thomas J. Miller, Attorney General, Kathrine S. Miller-Todd, Assistant Attorney General, Thomas J. Ferguson, County Attorney, and Steve Halbach, Assistant County Attorney, for appellee.

Steven Norby, Legal Aid of Iowa, Waterloo, for grandmother.

Timothy Baldwin, Assistant Juvenile Public Defender, Waterloo, guardian ad litem for minor child.

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

EISENHAUER, J.

A father appeals the termination of his parental rights to his child pursuant to Iowa Code sections 232.116(1)(b), (e), (f), and (j) (2007). He concedes the grounds for termination have been proved by clear and convincing evidence. However, he contends termination is not in the child's best interest. Upon de novo review, see *In re C.H.*, 652 N.W.2d 144, 147 (Iowa 2002), we find it is and affirm.

The father is incarcerated on six counts of forgery, one count of second-degree theft, and two counts of second-degree robbery. He has been imprisoned throughout the child's life and it is unlikely he will be released from prison in the next five years. He has no relationship with the child. The father is essentially asking for the child to wait until he is released from prison and establishes a relationship with her to be able to assume parenting responsibilities. Children should not be forced to endlessly await the maturity of a natural parent. *In re C.B.*, 611 N.W.2d 489, 494 (Iowa 2000). At some point, the rights and needs of the child rise above the rights and needs of the parent. *In re J.L.W.*, 570 N.W.2d 778, 781 (Iowa Ct. App. 1997).

AFFIRMED.