

IN THE COURT OF APPEALS OF IOWA

No. 8-397 / 08-0672

Filed June 25, 2008

**IN THE INTEREST OF T.J. and M.J.,
Minor Children,**

**D.A.J., Father,
Appellant.**

Appeal from the Iowa District Court for Polk County, Constance Cohen,
Associate Juvenile Judge.

A father appeals from the order terminating his parental rights to two
children. **AFFIRMED.**

Jared Harmon, Des Moines, for appellant father.

Thomas J. Miller, Attorney General, Kathrine Miller-Todd, Assistant
Attorney General, John P. Sarcone, County Attorney, and Stephanie Brown,
Assistant County Attorney, for appellee State.

Jeffrey Mains, Des Moines, for mother.

Jami J. Hagemeyer of Williams, Blackburn & Maharry, P.L.C., Des Moines,
guardian ad litem for minor children.

Leah Gjertson of Drake Legal Clinic, Des Moines, for minor children.

Considered by Sackett, C.J., and Huitink and Mahan, JJ.

SACKETT, C.J.

Demarco, the father of Marcasia, born in 1997, and TaShila, born in 1999, appeals from the juvenile court order terminating his parental rights. He contends termination of his parental rights is not in the best interests of the children. We affirm.

Demarco has not challenged the statutory grounds for termination cited by the juvenile court. Consequently we do not address them. See Iowa R. App. P. 6.14(1)(c); *In re W.R.C.*, 489 N.W.2d 40, 41 (Iowa Ct. App. 1992).

Demarco has been incarcerated since 1999. His anticipated date of discharge is 2013. Since his incarceration his contact with his children has been limited to occasional telephone calls or letters. He contends that communication with his children is more difficult because, since their removal from their mother's care, they have been in several placements. He contends the children know him and their attorney argued against termination of parental rights at trial. He last saw the children in October of 2007. To his credit he has taken classes while incarcerated, including parenting classes, work readiness, and drug treatment.

He argues he has attempted to better himself as a parent while incarcerated and to maintain contact with the children. He further argues he "will be in a position in the near future to be able to demonstrate that he is ready, willing, and able to accept the responsibilities of being a good parent."

Although Demarco asserts his love for his children, he is not now and will not be in a position to meet their needs for the foreseeable future. The guardian ad litem contends termination is in the children's best interests and the juvenile court so found. We find no reason to disagree with the juvenile court's

conclusion that the State established by clear and convincing evidence termination of parental rights was in the children's best interests.

AFFIRMED.