MISSOURI COURT OF APPEALS
WESTERN DISTRICT

IN THE INTEREST OF: D.L.S. III AND D.L.S.;

JUVENILE OFFICER

RESPONDENT,

v.

D.L.S. II

APPELLANT.

DOCKET NUMBER WD83518

DATE: July 28, 2020

Appeal From:

Jackson County Circuit Court
The Honorable J. Dale Youngs, Judge

Appellate Judges:

Division Four: Cynthia L. Martin, Chief Judge, Presiding, Alok Ahuja, Judge and W. Douglas Thomson, Judge

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Attorneys:

Lori A. Fluegel, Kansas City, MO, for respondent.

Sandra J. Wirtel, Kansas City, MO, for appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

IN THE INTEREST OF: D.L.S. III AND D.L.S.;

JUVENILE OFFICER, RESPONDENT,
v.
D.L.S. II, APPELLANT.

WD83518 Jackson County

Before Division Four Judges: Cynthia L. Martin, Chief Judge, Presiding, Alok Ahuja, Judge, and W. Douglas Thomson, Judge

D.L.S. II appeals from the trial court's judgment terminating his parental rights to D.L.S. III and D.L.S. D.L.S. II argues that the trial court committed error in that: (1) the judgment considered his emotional bond with the children when determining whether statutory grounds existed for termination of his parental rights; and (2) the judgment found that Father was unfit to be a party to the parent-child relationship without finding a convincing link between past behavior and predicted future behavior.

AFFIRMED.

Division Four holds:

D.L.S. II's first point on appeal, which complains that the trial court's findings that his parental rights should be terminated pursuant to section 211.447.5(2) and (3), RSMo, erroneously relied on D.L.S. II's bond with his children, is not preserved for our review, as the issue was not raised with the trial court. Even if the alleged error had been preserved, there was substantial evidence from which the trial court could conclude that clear, cogent, and convincing evidence established that D.L.S. II had neglected the children pursuant to section 211.447.5(2) without regard to the bond between and the children. Because one of the three bases for termination of parental rights found by the trial court is supported by substantial evidence, we need not address the other bases, or father's other points on appeal.

Opinion by: Cynthia L. Martin, Judge July 28, 2020

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