In the Missouri Court of Appeals
Eastern District

DIVISION THREE

In the Matter of: M. N. V.	)	No. ED108888
	)	
	)	Appeal from the Circuit Court of
	)	Franklin County
	)	19AB-JU00092
	)	
	)	Honorable Joseph W. Purschke
	)	
	)	Filed: July 13, 2021

Angela T. Quigless, P.J., Kurt S. Odenwald, J., and James M. Dowd, J.

Appellant Matthew W. Vanness, Jr. (Father) appeals the judgment of the Juvenile Division of the Franklin County Circuit Court terminating his parental rights in M.N.V., his biological daughter, and approving the adoption of M.N.V. by her court-appointed guardian Crystal Winters and Ms. Winters' husband, Everette Winters. The court found that because M.N.V. was lawfully in the custody of the Winters for at least six months prior to the entry of the adoption decree, and that Father had neglected and abandoned her, his consent was not required for the adoption pursuant to section 453.040 RSMo. Father argues that: (1) the court lacked the jurisdiction to grant the Winters' adoption because the statute's six month "lawful custody" requirement was not met, (2) the court's findings that he neglected and abandoned M.N.V. are not supported by substantial or competent evidence, and (3) that granting the Winters' adoption was not in M.N.V.'s best interest.

AFFIRMED.

DIVISION III HOLDS:
(1) We affirm the judgment terminating Father's parental rights in M.N.V. based on the competent and substantial evidence that Father abandoned and neglected M.N.V.;
(2) We affirm the judgment granting Crystal Winters' petition for adoption of M.N.V. based on the competent and substantial evidence that the adoption complied with and satisfied the statute's requirements and is in the best interest of M.N.V.; and
(3) We affirm the judgment granting Everette Winters' adoption petition based on the competent and substantial evidence that, as the spouse of M.N.V.'s court-appointed guardian, his adoption also complied with and satisfied the statute's requirements and is in the best interest of M.N.V.

Opinion by: James M. Dowd, J.

Angela T. Quigless, P.J., and Kurt S. Odenwald, J., concur.

Attorney for Appellant: Daniel E. Leslie

Attorney for Respondent: Taylor D. Goodale

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.