

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL  
RIGHTS AS TO: J.P.H.; B.D.H.; C.L.H.;  
M.R.H.; S.L.H.; AND R.C.H.

No. 61188

**FILED**

JUL 24 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *T. K. Lindeman*  
DEPUTY CLERK

JERRY H.,  
Appellant,

vs.

THE STATE OF NEVADA; J.P.H.;  
B.D.H.; C.L.H.; M.R.H.; S.L.H.; AND  
R.C.H.,  
Respondents.

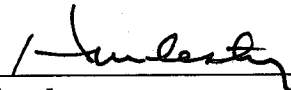
*ORDER OF AFFIRMANCE*

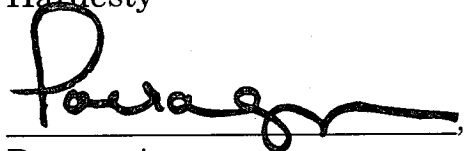
This is a proper person appeal from a district court order terminating appellant's parental rights as to his six minor children. Eighth Judicial District Court, Family Court Division, Clark County; Cheryl B. Moss, Judge.

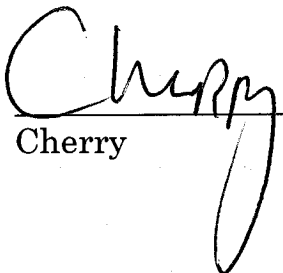
On appeal, appellant contends that the district court's decision is not justified and that he completed certain counseling requirements in connection with prior neglect proceedings. We conclude that appellant's contentions lack merit. The district court found clear and convincing evidence of parental fault and that it was in the children's best interests that appellant's parental rights be terminated. See NRS 128.105; *In re Termination of Parental Rights as to N.J.*, 116 Nev. 790, 795, 8 P.3d 126, 129 (2000). In particular, the district court found that because the children had been placed outside of the home for 27 consecutive months, it must be presumed that appellant demonstrated only token efforts to care for the children and that termination was in the children's best interests. NRS 128.109(1)(a) and (2).

The district court further found that appellant abandoned the children and failed to maintain any contact with the children after he was aware that they were in protective custody. See NRS 128.012. Moreover, the court found that appellant is incarcerated in the State of Oklahoma for arson, and that prior to his incarceration, he failed to complete any case plan on earlier petitions where the children were found to be in need of protection. See NRS 128.0126; NRS 128.106(6); *In re Parental Rights as to K.D.L.*, 118 Nev. 737, 747-48, 58 P.3d 181, 187-88 (2002). Finally, the district court found that the children have been placed with familiar foster parents, who wish to adopt them. See NRS 128.108. Having reviewed the record, we conclude that the district court's decision to terminate appellant's parental rights is supported by substantial evidence. *In re Parental Rights as to D.R.H.*, 120 Nev. 422, 428, 92 P.3d 1230, 1234 (2004). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division  
Jerry H.  
Legal Aid Center of Southern Nevada  
Clark County District Attorney  
Clark County District Attorney/Juvenile Division  
Eighth District Court Clerk