

This decision of the New Mexico Court of Appeals was not selected for publication in the New Mexico Appellate Reports. Refer to Rule 12-405 NMRA for restrictions on the citation of unpublished decisions. Electronic decisions may contain computer-generated errors or other deviations from the official version filed by the Court of Appeals.

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

No. A-1-CA-40289

**STATE OF NEW MEXICO, ex rel.
CHILDREN, YOUTH & FAMILIES
DEPARTMENT,**

Petitioner-Appellee,

v.

BRITANY W.,

Respondent-Appellant,

and

JORDAN B. and CHRISTOPHER B.,

Respondents,

**IN THE MATTER OF ZAYDRIAN B.
and CHRISTOPHER B.,**

Children.

**APPEAL FROM THE DISTRICT COURT OF EDDY COUNTY
Jane Shuler Gray, District Judge**

Children, Youth & Families Department
Mary McQueeney, Chief Children's Court Attorney
Santa Fe, NM
Kelly P. O'Neill, Assistant Children's Court Attorney
Albuquerque, NM

for Appellee

Cravens Law LLC
Richard H. Cravens, IV
Albuquerque. NM

for Appellant

Jay Lynn Francis
Carlsbad, NM

Guardian Ad Litem

MEMORANDUM OPINION

MEDINA, Judge.

{1} Respondent-Appellant Britany W. (Mother) appealed following the termination of her parental rights. We previously issued a notice of proposed summary disposition in which we proposed to uphold the underlying decision. Mother has filed a memorandum in opposition. After due consideration, we remain unpersuaded. We therefore affirm.

{2} We previously set forth the relevant background information and principles in the notice of proposed summary disposition. [CN 2-7] Rather than reiterating, we will focus on the content of the memorandum in opposition.

{3} Mother continues to challenge the sufficiency of the evidence to support the district court's decision, [MIO 9] focusing on elements of the treatment plan with which she contends that she complied, at least in part. [MIO 3-4, 14-15] However, the district court was not required to credit Mother's testimony, to indulge inferences in her favor, or to adopt her perspective on the sufficiency of her efforts. We will not second-guess its assessment of these factual matters. *See State ex rel. Child., Youth & Fams. Dep't v. Alfonso M.-E.*, 2016-NMCA-021, ¶ 26, 366 P.3d 282 ("On appeal, this Court will not reweigh the evidence or substitute our judgment for that of the trial court on factual matters or on matters of credibility." (internal quotation marks and citation omitted)).

{4} As previously described in the notice of proposed summary disposition, the Children, Youth & Families Department (the Department)'s showing was compelling. Ultimately, the district court's findings, conclusions, and decision are adequately supported.

{5} Accordingly, for the reasons stated in the notice of proposed summary disposition and above, we affirm.

{6} **IT IS SO ORDERED.**

JACQUELINE R. MEDINA, Judge

WE CONCUR:

MEGAN P. DUFFY, Judge

SHAMMARA H. HENDERSON, Judge