An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

IN THE COURT OF APPEALS OF NORTH CAROLINA

2022-NCCOA-392

No. COA21-733

Filed 7 June 2022

Durham County, No. 20 JA 151-152

IN THE MATTER OF: P.O. I.O. Minor children

Appeal by Father from Adjudication and Disposition order entered 16 August 2021 by Judge Doretta L. Walker in Durham County District Court. Heard in the Court of Appeals 11 May 2022.

Durham County, by Senior Assistant County Attorney Robin K. Martinek, for the Petitioner Durham County Department of Social Services.

Garron T. Michael for the Respondent-Father.

N.C. Administrative Office of the Courts, by Michelle FormyDuval Lynch, for Guardian ad Litem.

DILLON, Judge.

¶ 1 This case involves two juveniles, Page and Irene,[1] who the trial court concluded were abused by Father under N.C. Gen. Stat. § 7B-101(1)(b), (c), and (e) (2020). Section 7B-101(1)(b) and (c) pertain to physical abuse, while Section 7B-101(1)(e) pertains to emotional abuse.

[1] Pseudonyms have been used throughout the opinion to protect the identity of the juveniles and for ease of reading. *See* N.C. R. App. P. 42(b)(1).

¶ 2 Father's only challenge on appeal is that three findings of fact involving physical abuse are not supported by evidence, and that the findings of fact do not support a conclusion of law that the children are abused juveniles pursuant to Sections 7B-101(1)(b) and (c), *but not* Section 7B-101(1)(e).

¶ 3 Here, it may be that certain findings of fact and a conclusion of law pertaining to physical abuse are not supported, but that is a moot point. Section 7B-101(1) provides various definitions to constitute "abuse," and our caselaw likewise dictates that where one of the definitions of abuse are met, the child is considered abused for the purposes of the statute. *See In re F.C.D.*, 244 N.C. App. 243, 250, 780 S.E.2d 214, 220 (2015) (stating that one "ground standing alone is sufficient to support the adjudication of abuse"); *see also In re E.P.-L.M.*, 272 N.C. App. 585, 595, 847 S.E.2d 427, 435 (2020) (court denied addressing issue of physical abuse because evidence of serious emotional damage was supported).

¶ 4 Consequently, because Father does not challenge that the children are abused under Section 7B-101(1)(e), we hold that the children are abused and affirm the order of the trial court.

AFFIRMED.

Judges DIETZ and TYSON concur.

Report per Rule 30(e).