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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA26-169

Filed 19 August 2026

Wake County, No. 24JA000025-910

IN THE MATTER OF:
I.W.M.-B.

Appeal by Respondent from judgment entered 23 October 2025 by Judge Ashleigh S. Parker in Wake County District Court. Heard in the Court of Appeals 21 July 2026.

David A. Perez, for Respondent–Appellant Father.

Wake County Attorney’s Office, by Mary Boyce Wells and David F. Hord IV, for Petitioner–Appellee Wake County Health and Human Services.

Administrative Office of the Courts, by N.C. Guardian ad Litem Appellate Counsel Matthew D. Wunsche, for Appellee Guardian ad Litem.

MURRY, Judge.

Respondent (Father) appeals from the trial court’s order terminating his parental rights to his minor child, I.W.M.-B. (Ivan)¹ based on (1) neglect, (2) willfully leaving Ivan in placement outside the home for more than twelve months without

¹ In accordance with North Carolina Rule of Appellate Procedure 42(b), we refer to the minor child by a pseudonym to protect his identity. *See* N.C. R. App. P. 42(b).

showing reasonable progress in correcting the conditions which led to his removal, (3) willfully failing to pay a reasonable portion of Ivan's cost of care, and (4) dependency. On appeal, Father argues that the trial court erred by finding any grounds to terminate his parental rights. For the reasons below, this Court affirms the trial court's order terminating Father's parental rights.

I. Background

In July 2021, Wake County Health and Human Services (WCHHS) received a Child Protective Services (CPS) report alleging that four-month-old Ivan had undergone hospitalization for severe malnourishment resulting from a diet of only Pedialyte and diluted formula. On 29 July 2021, WCHHS filed a petition alleging Ivan was a dependent and neglected juvenile under N.C.G.S. § 7B-101. That same day, the trial court granted WCHHS non-secure custody of Ivan. On 19 November 2021, the trial court adjudicated Ivan as a neglected and dependent juvenile based on (among other things) his malnourishment, his parents'² mental health issues that impaired their ability to care for him, and ongoing domestic violence concerns that placed him at risk of physical and emotional harm. The trial court ordered Father to complete a psychological evaluation, follow all recommendations, participate in mental-health services, complete parenting and domestic violence programs, as well as maintain stable housing and sufficient financial resources to care for Ivan.

² Ivan's mother does not appeal the trial court's termination of her parental rights.

In August 2022, Dr. Kristy Matala conducted Father’s psychological examination. She noted that Father “resist[ed] . . . the psychological evaluation process” and described the evaluation as “useless [because] he can lie about the questions.” He “denied any domestic violence in the home” despite “acknowledg[ing] that police were called to the home fifty or sixty times per month.” Dr. Matala diagnosed Father with “Unspecified Personality Disorder, Unspecified Depressive Disorder (per history), Relationship Distress with Spouse or Intimate Partner, and Alcohol Use Disorder, in sustained remission.” She recommended that he “continue with individual counseling, . . . complete parent education and domestic violence education, and demonstrate improvement in his emotion regulation and problem-solving.” Father “consistently rejected” counseling despite the trial court’s “finding that he needed that level of treatment.” Ivan remained in WCHHS custody until March 2023, when the trial court returned him to his parents’ custody.³

In the fall of 2023, WCHHS received a new report alleging that the parents engaged in domestic violence in the home, which was closed in December 2023.⁴ On 16 December 2023, WCHHS received another report alleging physical abuse and unsafe discipline of Ivan after EMS responded to Mother and Ivan at a gas station

³ The trial court noted Mother’s “progress towards reunification” and ultimately reunified Ivan with his parents “in large part due to [her] efforts to comply with court ordered services.”

⁴ The Durham County Department of Social Services (DCDSS) investigated the allegations, provided services, and closed the case.

after Mother called 911 four times. She told EMS that she had taken Ivan from the home “for the safety of her child and herself due to domestic violence” after Father “had shaken” Ivan to the point that he “ended up throwing up.” Later that night, WCHSS received a second report alleging that Mother “initially disclosed” that Father “shook the child” but “then started to minimize the allegations” by claiming Father had only picked him up and asked, “[W]hat is wrong with you”? When WCHHS met with the family, Father became agitated and denied shaking Ivan.

In early January 2024, Mother reported to WCHHS social workers several times that “[F]ather yelled and screamed at [her], threatened to hit her, and . . . wouldn’t let her leave the home.” On one occasion, social workers visited the home and “could hear yelling from the parking lot.” When they checked on the family, Mother “stated that it was good that CPS was there” and that Father “does not support her mental health, and does not help her with [Ivan].” Social workers “had to deescalate the situation.”

On 2 February 2024, WCHHS filed a second petition alleging that Ivan was a neglected juvenile under N.C.G.S. § 7B-101. On 8 February 2024, the trial court granted WCHHS non-secure custody of Ivan. On 5 March 2024, the trial court once again adjudicated Ivan neglected. To achieve reunification, the trial court ordered Father to “obtain housing safe and free of domestic discord”; maintain “financial resources sufficient to meet the needs of himself and his child; complete a parenting capacity evaluation and domestic violence screening assessment and follow their

recommendations; complete a parenting curriculum and demonstrate skills learned”; and follow all of Dr. Matala’s recommendations from the August 2022 psychological evaluation. (Quotation modified.) Upon conducting Father’s parenting capacity evaluation, Dr. Matala found that “[F]ather’s capacity to parent the child” to be “extremely low” and recommended therapy with a specialized treatment provider.

On 29 May 2024, the trial court held a permanency-planning hearing, found that Mother and Father were making progress, and recommended reunification as the primary plan with adoption as the secondary plan. At the next permanency-planning hearing on 18 November 2024, the trial court changed its recommendation to adoption as the primary plan with reunification as the secondary plan upon finding that “[t]he domestic discord between the parents ha[d] not improved” and that “[t]heir relationship is unhealthy for them and is not a safe relationship or home in which [Ivan] could be safely returned.” Specifically, the trial court found that “[F]ather needs mental health treatment and domestic violence treatment . . . [but] he has not sufficiently engaged in either.”

On 12 March 2025, WCHHS filed a petition to terminate Father’s parental rights to Ivan. After a termination hearing on 17—18 September 2025, the trial court made the following findings relevant to its adjudication of grounds to terminate Father’s parental rights under N.C.G.S. § 7B-1111(a)(1):

35. Dr. Matala found that Father prioritized his employment which allowed him to provide for the child financially. However, he relied on Mother to meet the child’s basic needs. Father did not

demonstrate an understanding of the child's need for speech and occupational therapy or special education services which raised concern for his ability to pursue those services on behalf of the child.

. . . .

39. In 2024, Dr. Matala's opinion was that Father's capacity to parent the child was extremely low. She recommended Father engage in individual counseling with a treatment provider with experience working with people who have a personality disorder, that he would benefit from individualized parent instruction during visits with the child and that he complete domestic violence education.

. . . .

50. Father presented support people who would help him parent the child. Denyse Ringgold, known to Father as "Ms. Fatima," testified that as long as Mother and Father were together, the child should not be in the home. She only saw the child when he was a baby and noticed a lot of police cars at the family's home. Ms. Ringgold praised Mother's decision to support adoption. She noted the inappropriateness of Father giving the child a police car as a gift when the child had been exposed to police responses to domestic violence in the home.

. . . .

56. Mother remains married to Father and lives with him in the same apartment they have lived in since June 2023. While their relationship is currently that of roommates, she has no concrete plan to separate from Father, and Father is willing for Mother to remain in the home if she chooses.
57. Mother describes Father as caring for his job above all else. He can't handle day-to-day tasks, he can't support Mother appropriately, and reverts to calling the police as a way to solve problems in the home. Mother stated, "Father thinks it's his way or the highway." Father lacks empathy for Mother's mental illness.
58. In December 2024, Mother was arrested for simple assault and damage to property for an incident where Father called law enforcement to the home. Mother admits pushing Father and said she was in crisis. Mother was held in jail for forty-eight hours and there was a no contact order in place between Mother and Father for six months. The case was dismissed on 10 June 2025, and

Mother returned to live with Father.

59. Approximately a month before this hearing, Mother had a seizure, and Father would not help her other than call 911 and hang up. Father believed that this was an appropriate response and did not see the benefit of staying on the line to describe the emergency such that the proper responders could be dispatched.

(Quotation modified.) The trial court concluded that grounds existed to terminate Father's parental rights to Ivan under N.C.G.S. § 7B-1111(a)(1)–(3), (6) and that terminating Father's parental rights would be in Ivan's best interest. The trial court ultimately terminated Father's parental rights to Ivan. Father timely appealed.

II. Jurisdiction

This Court has jurisdiction to hear Father's appeal from an order "that terminates [his] parental rights." N.C.G.S. § 7B-1001(a)(7) (2025).

III. Analysis

On appeal, Father argues the trial court erred by concluding that multiple grounds existed to terminate his parental rights to Ivan. *See* N.C.G.S. § 7B-1111(a)(1) (neglect); *id.* § 7B-1111(a)(2) (willful leaving with lack of progress); *id.* § 7B-1111(a)(6) (dependency); *id.* § 7B-1111(a)(7) (willful abandonment). In support of his argument, Father challenges many of the trial court's findings of fact. We need not reach these findings because the unchallenged findings alone support the trial court's conclusion that grounds existed for termination based on neglect under N.C.G.S. § 7B-1111(a)(1). And because we only review "those findings needed to sustain the trial court's adjudication," we decline to address Father's remaining challenges. *In re*

D.R.W., 298 N.C. App. 18, 23 (2025).

A termination-of-parental-rights proceeding has two stages: adjudication and disposition. *See In re S.D.H.*, 296 N.C. App. 392, 398 (2024); N.C.G.S. §§ 7B-1109 to -1110. At the adjudicatory stage, the petitioner bears the burden of proving by “clear and convincing evidence” that one or more grounds for termination exist. N.C.G.S. § 7B-1111(a). If the trial court determines that grounds exist under N.C.G.S. § 7B-1111, the proceeding continues to the dispositional stage, where the trial court must determine whether termination of parental rights would be in the child’s “best interest.” *In re M.A.*, 374 N.C. 885, 868 (2020). Because Father does not challenge the dispositional portion of the trial court’s order, we consider only the trial court’s adjudication order.

We review a trial court’s adjudication order to determine “whether the findings of fact are supported by clear, cogent and convincing evidence and whether these findings, in turn, support the conclusions of law.” *In re Clark*, 72 N.C. App. 118, 124 (1984). Unchallenged findings of fact “are binding on appeal.” *In re G.B.*, 377 N.C. 106, 111 (2021). Moreover, we review the trial court’s conclusions of law *de novo* to determine whether they are supported by the findings of fact. *See In re S.R.*, 384 N.C. 516, 520 (2023); *In re E.H.P.*, 372 N.C. 388, 395 (2019) (“[A]n adjudication of any single grounds in N.C.[G.S.] § 7B-1111(a) is sufficient to support a termination of parental rights.”).

Here, Father argues the trial court erred in concluding that grounds for

termination under neglect existed because the trial court failed to consider evidence that Father had “made much progress in addressing and remediating removal conditions.” For the following reasons, we disagree with Father and affirm the trial court’s order.

The trial court “may terminate the parental rights upon a finding [that] . . . the parent has abused or neglected the juvenile . . . within the meaning of [N.C.]G.S. [§] 7B-101.” N.C.G.S. § 7B-1111(a)(1). A neglected juvenile is one “whose parent, guardian, or caretaker does not provide proper care, supervision or discipline,” “[h]as not provided or arranged for the provision of necessary medical or remedial care,” or “[c]reates or allows to be created a living environment that is injurious to the juvenile’s welfare.” *Id.* § 7B-101(15). Where the “child has been separated from the parent for a long period of time,” the petitioner must show “past neglect and a likelihood of future neglect by the parent.” *In re D.L.W.*, 368 N.C. 835, 843 (2016). “In such cases, a trial court may terminate parental rights based on prior neglect of the juvenile if the trial court finds by clear and convincing evidence a probability of repetition of neglect if the juvenile were returned to [his] parents.” *In re M.B.*, 382 N.C. 82, 86 (2022). “When determining whether such future neglect is likely, the district court must consider evidence of changed circumstances occurring between the period of past neglect and the time of the termination hearing.” *In re Z.V.A.*, 373 N.C. 207, 212 (2019). Although a “parent’s failure to make progress in completing a case plan . . . indicat[es] . . . a likelihood of future neglect,” *In re M.S.E.*, 378 N.C. 40, 48

(2021), “a parent’s compliance with his or her case plan does not preclude a finding of neglect,” *In re A.N.H.*, 381 N.C. 30, 46 (2022); *see In re D.W.P.*, 373 N.C. 327, 339–40 (2020) (noting parent’s progress on case plan while affirming trial court’s determination of likelihood of future neglect because parent had failed “to recognize and break patterns of abuse that put her children at risk”).

Here, the trial court found that Father had “twice neglected” Ivan and found it “probable that the pattern of neglect would continue” if Ivan returned to Father’s care because “the parents continue to live together and display domestic discord.” It also noted that Father “has no legitimate plan for how he could care for an autistic child with significant needs.” Father does not dispute the trial court’s previous adjudication of Ivan as a neglected juvenile. Instead, he challenges the trial court’s determination of a likelihood of future neglect, arguing that he had “maintained adequate employment and housing to support his son,” “visited regularly with his son,” maintained contact” with WCHHS, and “completed at least two substantive courses on parenting education.” Thus, we turn to assess whether the unchallenged findings support the trial court’s conclusion that Father would likely neglect Ivan in the future. *See D.L.W.*, 368 N.C. at 843.

The trial court’s unchallenged findings show that it concluded that Father’s case-plan progress was insufficient to support reunification. The trial court’s uncontested Finding #35 establishes Father’s reliance on others to meet Ivan’s basic needs and documents his continued minimization of Ivan’s “need for speech and

occupational therapy or special education services.” Finding #39 also documents Dr. Matala’s opinion that Father exhibits an “extremely low” capacity to parent Ivan. And Finding #50 documents Father’s “inappropriate[]” attitude towards the injurious environment created by “police responses to domestic violence” in his relationship with Mother. This finding also establishes that one of Father’s own “support people” whom he presented to “help him parent the child” was, “in fact, not supportive of . . . [F]ather parenting the child” and “praised the mother’s decision to support adoption.” Findings #56–#59 further show the chaotic and damaging environment that the parents’ relationship created in the home, noting that Father “can’t handle day to day tasks, . . . can’t support Mother appropriately, and reverts to calling the police as a way to solve problems in the home”—*e.g.*, when “[a]pproximately a month before this hearing, the mother had a seizure, and . . . [F]ather would not help her other than to call 911 and hang up.” Although Father made progress on his case plan by maintaining stable employment and completing some of the required services, his continued inability to provide for Ivan’s specialized needs, together with his failure to acknowledge and correct ongoing domestic-violence and mental-health issues, support the trial court’s conclusion that neglect is likely to reoccur should Ivan return to Father’s care.

Ultimately, the uncontested findings support the trial court’s conclusion that grounds exist to terminate Father’s parental rights under N.C.G.S. § 7B-1111(a)(1) because Ivan would likely continue to be a neglected juvenile as defined in N.C.G.S.

§ 7B-101. Because the findings of fact support the conclusion that grounds exist to terminate Father's parental rights based on Ivan's status as a neglected juvenile, we need not address Father's arguments contesting the remaining grounds for termination. *See In re A.R.A.*, 373 N.C. 190, 194 (2019). Additionally, Father has not challenged the dispositional ruling that termination of his parental rights was in Ivan's best interests. Thus, we affirm the trial court's order terminating Father's parental rights to Ivan.

IV. Conclusion

For the reasons discussed above, this Court affirms the trial court's order terminating Father's parental rights to Ivan.

AFFIRMED.

Judges ARROWOOD and COLLINS concur.

Report per Rule 30(e).