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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA26-211

Filed 21 October 2026

Pitt County, No. 25JT000067-730

IN RE: V.A.C.

Appeal by respondent-father from order entered 14 November 2025 by Judge Sonya Davis in Pitt County District Court. Heard in the Court of Appeals 15 September 2026.

Reeves Divenere & Wright, by Anné C. Wright, for respondent-appellant father.

Miller & Audino, LLP, by Jay Anthony Audino, for petitioners-appellees.

FLOOD, Judge.

Respondent-Father appeals from the trial court's order terminating his parental rights to his minor child, V.A.C. ("Vera").¹ On appeal, Father asserts that the trial court erred in terminating his parental rights pursuant to N.C.G.S. § 7B-1111(a)(1), (4), and (7). After careful review, we conclude that the trial court correctly determined that there were grounds to terminate Father's parental rights pursuant

¹ This pseudonym has been agreed upon by the parties and is used to protect the identity of the juvenile in accordance with N.C. R. App. P. 42 (2025).

to N.C.G.S. § 7B-1111(a)(1). Father does not separately challenge the trial court's dispositional determination; accordingly, we affirm the trial court's order terminating Father's parental rights.

I. Factual and Procedural Background

When Vera was born in May of 2020, she lived with her mother, her maternal grandmother, and Father. Less than a year later, Father moved out of the residence to live with his mother. One day, Father went to visit Vera. When he arrived, he found Vera unattended, chewing on and ingesting her mother's prescribed Suboxone. Vera's maternal grandmother then took Vera to the hospital. Once at the hospital, Richmond County Department of Social Services ("DSS") was notified. Richmond County DSS later initiated a juvenile case.

In March of 2022, Vera's mother passed away from a Fentanyl overdose. After her mother's death, Vera lived with her maternal grandmother and maternal great-grandparents until April of 2022 when she was then placed in kinship care with Petitioners, who are Vera's maternal grandfather and maternal step-grandmother. On 18 June 2022, the trial court ordered Father to pay \$50.00 per month in child support.

Vera was adjudicated on 2 August 2022 to be a dependent juvenile. Three months later, temporary legal and physical custody of Vera was granted to Petitioners. In June of 2023, Father consented to Richmond County Juvenile Court granting Petitioners full legal and physical custody of Vera. In addition to granting

Petitioners full custody of Vera, the Juvenile Court ordered for Father to have supervised visitation with Vera for one hour each month and virtual visitation at least one time each week for five minutes. The Juvenile Court then terminated its jurisdiction, transferred the case to a Chapter 50 civil matter, and transferred venue to Pitt County.

On 23 April 2025, Petitioners filed a petition in Pitt County District Court seeking to terminate Father's parental rights. In their petition, Petitioners alleged that, although Father is entitled to have weekly video calls with Vera, Father engaged in only seventeen out of approximately ninety of these calls since June of 2023. Petitioners also alleged that Father willingly failed to pay for the care, support, and education of Vera, as was required by the 18 June 2022 child support order, and that Father willfully abandoned Vera for at least six consecutive months prior to the filing of their petition.

This matter came on for hearing on 12 November 2025. At the hearing, Petitioners presented evidence showing that the last in-person visit Father attended was on Vera's fourth birthday in May of 2024. This was also the last time Petitioners received any gifts or cards for Vera from Father. Petitioners also presented evidence that, while Father or his mother would reach out to Petitioners to schedule in-person visitations, Father would cancel them. Father "Facetimed" with Vera eight times in 2024 and eight times in 2025.

Additionally, Petitioners provided evidence of Father's criminal history and

child support payment history. Father's criminal record reflected that he had been arrested multiple times throughout 2024 and 2025 for various offenses, including misdemeanor larceny, felony possession of a Schedule II controlled substance, driving while license revoked, trespass, probation violations, and attempted breaking and entering a motor vehicle. As for child support payments, Petitioners presented evidence that Father paid \$100.00 on 24 April 2024 as a purge condition for a contempt order and \$347.59 on 2 April 2025, which was obtained through a tax return interception by the State. On 22 July 2025, a criminal contempt consent order was entered determining that Father owed child support arrears of \$878.85 and sentencing Father to ten days' imprisonment. Father testified at the hearing, explaining that, in the years leading up to the termination hearing, he had not voluntarily made any child support payments and that he had a drug problem and had paid for his drugs before he paid his child support. Father further admitted that he had his wife² and his mother cancel some of the scheduled visits because he was incarcerated at the time.

On 14 November 2025, the court entered an order terminating Father's parental rights pursuant to N.C.G.S. § 7B-1111(a)(1), (4), and (7), and concluding it was in Vera's best interest that Father's parental rights be terminated. Father timely filed his written notice of appeal on 12 December 2025.

² The Record does not indicate when Father remarried.

II. Jurisdiction

This Court has jurisdiction to hear Father’s appeal from an order terminating his parental rights pursuant to N.C.G.S. § 7A-27(b) (2025).

III. Standard of Review

North Carolina’s Juvenile Code provides for a two-step process for the termination of parental rights: first, the adjudicatory stage and, second, the dispositional stage. *See* N.C.G.S. §§ 7B-1109, -1110 (2025). During the adjudicatory stage, the petitioner bears the burden of proving by “clear and convincing evidence” the existence of one or more grounds for termination under N.C.G.S. § 7B-1111(a). *See* N.C.G.S. § 7B-1109(f) (2025). If “the trial court finds grounds to terminate parental rights under N.C.G.S. § 7B-1111(a), it proceeds to the dispositional stage where it must ‘determine whether terminating the parent’s rights is in the juvenile’s best interest[.]’” *In re Z.L.W.*, 372 N.C. 432, 434 (2019) (quoting N.C.G.S. § 7B-1110(a)).

This Court reviews a trial court’s adjudication “to determine whether the findings are supported by clear, cogent and convincing evidence and the findings support the conclusions of law.” *In re C.B.C.*, 373 N.C. 16, 19 (2019) (citation omitted). “Findings of fact not challenged by [the] respondent are deemed supported by competent evidence and are binding on appeal.” *In re T.N.H.*, 372 N.C. 403, 407 (2019) (citation omitted). Similarly, “[a] trial court’s finding of fact that is supported by clear, cogent, and convincing evidence is deemed conclusive even if the record contains

evidence that would support a contrary finding.” *In re B.O.A.*, 372 N.C. 372, 379 (2019) (citation omitted). “The trial court’s conclusions of law are reviewable de novo on appeal.” *In re C.B.C.*, 373 N.C. at 19 (citation omitted).

We review the trial court’s dispositional determination for an abuse of discretion. *In re D.L.W.*, 368 N.C. 835, 842 (2016). An “[a]buse of discretion results where the court’s ruling is manifestly unsupported by reason or is so arbitrary that it could not have been the result of a reasoned decision.” *In re Z.L.W.*, 372 N.C. at 435 (citation omitted).

IV. Discussion

On appeal, Father asserts that the trial court erred by finding grounds to terminate his parental rights pursuant to N.C.G.S. § 7B-1111(a)(1), (4), and (7). “[A]n adjudication of any single ground in N.C.G.S. § 7B-1111(a) is sufficient to support a termination of parental rights.” *In re E.H.P.*, 372 N.C. 388, 395 (2019). As such, if we “determine[] there is at least one ground to support a conclusion that [Father’s] parental rights should be terminated, it is unnecessary to address the remaining grounds.” *See In re P.L.P.*, 173 N.C. App. 1, 8 (2005) (citation omitted).

First, we address Father’s assertion that the trial court erred in terminating his parental rights pursuant to N.C.G.S. § 7B-1111(a)(1) “because there was no evidence Father had previously neglected Vera and the competent findings of fact are insufficient to support a conclusion of probability of future neglect.”

Under N.C.G.S. § 7B-1111(a)(1), a court may terminate a parent’s parental

rights if “[t]he parent has abused or neglected the juvenile.” N.C.G.S. § 7B-1111(a)(1) (2025). As relevant to this case, a neglected juvenile is a juvenile whose parent does any of the following:

- a. Does not provide proper care, supervision, or discipline.
- b. Has abandoned the juvenile, except where that juvenile is a safely surrendered infant as defined in this Subchapter.
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- e. Creates or allows to be created a living environment that is injurious to the juvenile’s welfare.
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N.C.G.S. § 7B-101(15) (2025). “When determining whether a child is neglected, the circumstances and conditions surrounding the child are what matters, not the fault or culpability of the parent.” *In re Z.K.*, 375 N.C. 370, 373 (2020).

“[W]hen a child has been separated from their parent for a long period of time, the petitioner must prove (1) prior neglect of the child by the parent and (2) a likelihood of future neglect of the child by the parent.” *In re D.W.P.*, 373 N.C. 327, 339 (2020) (citation omitted). “A prior adjudication of neglect may be admitted and considered by the trial court in ruling upon a later petition to terminate parental rights on the ground of neglect.” *In re M.A.W.*, 370 N.C. 149, 153 (2017) (citation omitted). While admissible, a prior adjudication of neglect is not required if the trial court finds that the juvenile was neglected when he or she was living with the respondent-parent. *See In re D.L.A.D.*, 375 N.C. 565, 567 (2020). When considering

whether there is a likelihood of future neglect, the trial 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) (citation omitted).

A. Findings of Fact

In support of its conclusion that grounds existed to terminate Father’s parental rights based on neglect, the trial court made the following findings of fact:

12. By the clear, cogent, and convincing evidence presented at this hearing, the [c]ourt finds that the following grounds exist[] for termination of [] Father’s parental rights:

a. Pursuant to N.C.[G.S.] § 7B-1111(a)(1), [] Father has neglected the juvenile as defined in N.C.[G.S.] § 7B-101(15).

i. While [] Father and the juvenile’s mother . . . resided together with the juvenile, those two individuals engaged in arguments that became physical on at least one occasion.

ii. [] Father moved out of the residence with [Mother] and the juvenile in March 2021, and the juvenile remained in [Mother]’s care until Richmond County DSS took nonsecure custody of the juvenile in June 2022.

iii. [] Father was aware that [Mother] was abusing Suboxone while the juvenile was residing with her; however, [] Father willingly allowed the juvenile to remain in that residence with her mother, that residence being an environment injurious to the juvenile’s safety and welfare.

iv. In April 2022, after [] Father left the juvenile in [Mother]’s care for a year, [] Father showed up to [Mother]’s residence to find the juvenile on the floor, unattended, with Suboxone in

her mouth. The juvenile's grandmother had to take her to the hospital, which is when Richmond County DSS became involved with the family.

v. Although the juvenile was not adjudicated neglected in Richmond County but was instead only adjudicated dependent, the juvenile certainly could have been adjudicated neglected by the actions and/or inactions of [] Father and [Mother].

vi. There is a likelihood of repetition of neglect if the juvenile would be placed in the physical custody of [] Father.

vii. [] Father has had a continuing issue with using and abusing marijuana and unprescribed opiates. [] Father has been using these drugs until at least this past summer, as he did testify that he has been sober for three months, if not more recent. [] Father has engaged in various treatments over the years, although none have seemed to enable [] Father to maintain sobriety, as he has had multiple periods where he has been sober for many months, only to relapse.

viii. [] Father has an extensive criminal record, with many charges and convictions that have occurred since the Richmond County DSS case was closed in June 2023. Within the past two years, [] Father has been convicted of possession of drug paraphernalia, larcenies, trespass, probation violations, and breaking and entering a motor vehicle. . . .

ix. Within the past two years, [] Father has been incarcerated on multiple occasions, serving various periods of probation, and on house arrest with electronic monitoring. . . . Father was recently show caused for submitting a forged doctor's note, which he prepared and presented to the Richmond County Court in an effort to get an order for his arrest rescinded, that order for arrest issues [sic]

after [] Father failed to appear for one of his scheduled criminal court dates.

x. [] Father is unemployed and does have his own housing, as he and his wife live with her parents. . . . Father has had money to purchase street drugs, and he has either paid or had his wife or mother pay for him to be bonded out of jail on multiple occasion[s] within the past two years.

. . . .

xii. [] Father has willingly withheld his love, affection, and care from the juvenile. He last visited with the juvenile, in person, in early May 2024, despite having an [o]rder in place that permits a monthly visit. He has infrequently and sporadically FaceTimed with the juvenile, despite having an [o]rder in place that permits weekly FaceTime.

xiii. [] Father has not provided the juvenile with any letters, cards, gifts, clothes, or other personal items since her birthday in May 2024. Although he testified that he has presents for her from Christmas 2024, he has made no efforts to give her those presents, if he is even being honest about having such presents in his possession.

Importantly, Finding of Fact 12(a)(vi) is a conclusion of law that we will discuss below. *See In re W.K.*, 379 N.C. 331, 343 (2021) (“The trial court’s determination that there existed a high probability of future neglect by respondent is more properly classified a conclusion of law . . .”). Finding of Fact 12(a)(v), however, is an ultimate finding of fact. *See In re Z.D.*, 258 N.C. App. 441, 449 (2018) (holding “the trial court’s ultimate finding that [the respondent-mother] had previously neglected her son” was supported by the evidentiary facts). “A trial court’s finding of an ultimate fact is

conclusive on appeal if the evidentiary facts reasonably support the trial court's ultimate finding of fact." *In re G.C.*, 384 N.C. 62, 65 (2023) (citation omitted) (overturning prior caselaw that misuses the term "ultimate fact" by saying that an "ultimate finding is a conclusion of law or at least a determination of a mixed question of law and fact"). Since Finding of Fact 12(a)(v) is an ultimate finding, we first consider Father's challenges to the trial court's evidentiary facts.

With the exception of Findings of Fact 12(a)(vii), 12(a)(viii), and 12(a)(x), Father does not challenge the factual findings as being unsupported by the evidence. As such, Findings of Fact 12(a)(i) through 12(a)(iv), 12(a)(ix), and 12(a)(xii) through 12(a)(xiii) are binding on appeal. *See In re T.N.H.*, 372 N.C. at 407.

Regarding Finding of Fact 12(a)(vii), Father argues that the portion stating he "has had a continuing issue with using and abusing . . . unprescribed opiates" is unsupported by the evidence because there was no evidence that the opiates were unprescribed. At the adjudication hearing, Petitioners' counsel asked Father about a plea deal, in which Father agreed to plead guilty to possession of drug paraphernalia in exchange for the State to dismiss the felony possession of a Schedule II controlled substance charge. Father explained that he was charged with felony possession of a Schedule II controlled substance because law enforcement officers had found opioids in his possession in August of 2024. Petitioners' counsel asked Father if the opioids that the officers found were prescribed, and Father, replied, "No, sir." This testimony, coupled with Father's testimony that he has abused opioids and marijuana in the

past and continues to “deal with [his substance abuse problem] every day[,]” supports the trial court’s finding that he “has had a continuing issue with using and abusing . . . unprescribed opiates.” Father does not otherwise challenge the remaining portions of this finding; thus, Finding of Fact 12(a)(vii) is binding on appeal. *See id.*

Regarding Finding of Fact 12(a)(viii), Father asserts that he was convicted of *attempted* breaking and entering a motor vehicle, not—as the trial court found—for breaking and entering a motor vehicle. Indeed, Father’s criminal records, which were admitted as evidence, show that Father pled guilty to attempted breaking and entering a motor vehicle. The exact conviction, however, is not critical in this case. *See In re Clark*, 72 N.C. App. 118, 126 (1984) (stating that errors as to the date of an incident in a finding of fact were unimportant and thus not prejudicial to the respondent). Thus, this error is not prejudicial to Father. *See id.* Father does not otherwise challenge the remaining portions of this finding; therefore, Finding of Fact 12(a)(viii) is binding on appeal. *See In re T.N.H.*, 372 N.C. at 407.

As for Finding of Fact 12(a)(x), Father argues that this finding should be disregarded as there was no evidence that Father bought any drugs. This argument lacks merit as Father himself admitted at the hearing that he had paid for his drugs before paying his child support. As such, Finding of Fact 12(a)(x) is binding on appeal. *See id.*

Having determined that the trial court’s evidentiary findings are supported by competent evidence, we now turn to consider whether the evidentiary facts

reasonably support the trial court's ultimate finding of prior neglect. *See In re G.C.*, 384 N.C. at 65.

Father argues Finding of Fact 12(a)(iii) does not support a finding of prior neglect because "[t]here was no evidence how, if at all, the mother's use of Suboxone affected her ability to parent or Vera's welfare[.]" This argument lacks merit as Finding of Fact 12(a)(iv) clearly states Vera's grandmother had to take Vera to the hospital because she was left unattended and had suboxone in her mouth.

Father also challenges Finding of Fact 12(a)(v) on the basis that, although there is evidence to support this finding with regards to Mother, "[t]here was no evidence that Father engaged in severe or dangerous conduct or a pattern of conduct causing injury or potentially causing injury to Vera." It appears that Father is arguing that Mother, not Father, was responsible for the conditions that led to Richmond County DSS initiating a juvenile case. As stated, however, when determining whether a child is neglected, courts do not consider the fault or culpability of the parent, but rather, the circumstances and conditions surrounding the child. *In re Z.K.*, 375 N.C. at 373.

Moreover, this Court has previously recognized that "evidence of substance abuse and a parent's progress in treatment may be relevant in determining whether a child meets the definitions of neglect and dependency." *In re E.P.*, 183 N.C. App. 301, 305, *aff'd*, 362 N.C. 82 (2007). "[A] parent's substance abuse problem alone[, however,] cannot support an adjudication of neglect." *In re K.H.*, 281 N.C. App. 259,

269 (2022) (citation omitted). Instead, there must be evidence that the parent's substance abuse poses a substantial risk of harm to the juvenile, *see In re E.P.*, 183 N.C. App. at 306, such as "a prolonged period of drug use in the home, by both [respondent-parents] and others, during which [the juvenile] was placed at risk of exposure to drugs and drug paraphernalia[.]" *In re K.H.*, 281 N.C. App. at 270.

Here, the trial court's findings reveal further circumstances that Vera was living in an injurious environment when she was living with Mother. Notably, Vera was taken to the hospital because she had her mother's prescribed Suboxone in her mouth. Further, Father knew that Mother was abusing her Suboxone, but nevertheless voluntarily allowed Vera to stay with Mother. These findings, in turn, reasonably support the trial court's ultimate finding of prior neglect. *See id.* at 269 (concluding the trial court's findings supported a conclusion that the juvenile was neglected because he lived in an injurious environment where drug paraphernalia was found at the family home on multiple occasions and there were two heroin overdoses necessitating emergency medical response); *see also In re M.A.W.*, 370 N.C. at 154 (concluding that the father's previous neglect as well as his extensive criminal history and substance abuse contributed to the juvenile's adjudication as a neglected juvenile). In sum, the evidentiary findings reasonably support the trial court's ultimate finding of prior neglect of Vera by Father. Accordingly, Finding of Fact 12(a)(v) is conclusive on appeal. *See In re G.C.*, 384 N.C. at 65.

B. Conclusion of Law

Father next argues that the trial court's findings are insufficient to support its conclusion that there is a likelihood of repetition of neglect if Vera were returned to Father's care and custody. Specifically, Father argues that Petitioners failed to put forth any evidence as to how Father's history with marijuana and opioids would prevent him from providing proper care and supervision for Vera.

Father's argument is unpersuasive. Relevant here, evidence of a parent's "repeated pattern" of relapse is indicative of a likelihood of repetition of neglect. *See In re Z.A.M.*, 374 N.C. 88, 98 (2020) ("Given that [the] respondent-father only maintained three months of sobriety in the twenty-two months during which the juveniles were living outside of the house, and given that there is evidence of [the] respondent-father's alcohol abuse preceding the termination, it appears the trial court appropriately weighed all the evidence to conclude that there was a probability of repetition of neglect."). Moreover, a parent's inconsistent visitations with the juvenile and failure to provide "any care, discipline[,] or supervision" to the juvenile are facts supporting a conclusion of likelihood of repetition of neglect. *See In re M.A.W.*, 370 N.C. at 154.

Here, the findings of fact support the trial court's conclusion that there is a likelihood of repetition of neglect if Vera were returned to Father's care. Specifically, Finding of Fact 12(a)(vii) discusses Father's continuous pattern of relapse "over the years[.]" Finding of Fact 12(a)(xii) discusses how Father failed to visit with Vera, in-person, since May of 2024—approximately eighteen months preceding the

termination hearing. This finding also discusses how Father “infrequently and sporadically FaceTimed with [Vera], despite having an [o]rder in place that permits weekly FaceTime.” Such findings of fact support the conclusion that there was a probability of repetition of neglect. *See In re Z.A.M.*, 374 N.C. at 98; *In re M.A.W.*, 370 N.C. at 154; *see also In re D.L.A.D.*, 375 N.C. at 572 (stating that “[a]n extended period in which a parent does not attempt to visit the child could show” a “future propensity to be inattentive to the child[,]” and “a substance abuse problem that likely went untreated could inhibit a parent’s capability or willingness to consistently provide adequate care to a child”).

Father also argues that the trial court’s “findings regarding certain economic and social factors in Father’s life” are insufficient to support the trial court’s conclusion that there is a likelihood of repetition of neglect if Vera were returned to Father’s care. To support his argument, Father relies on N.C.G.S. § 7B-1111(a)(2), which states, in relevant part, “No parental rights . . . shall be terminated for the sole reason that the parents are unable to care for the juvenile on account of their poverty.” N.C.G.S. § 7B-1111(a)(2) (2025). Our Supreme Court rejected a similar argument in *In re J.C.L.*, reasoning that, “while N.C.G.S. § 7B-1111(a)(2) states in part that ‘no parental rights shall be terminated for the sole reason that the parents are unable to care for the juvenile on account of their poverty,’ the ground of neglect does not have a similar prohibition[.]” 374 N.C. 772, 784 n.4 (2020) (first quoting N.C.G.S. § 7B-1111(a)(2) and then citing N.C.G.S. §§ 7B-101(15), -1111(a)(1)). The

Court further considered how “the trial court did not premise its finding of neglect solely on [the] respondent’s tenuous financial situation, which is only one of several factors supporting the trial court’s conclusion that there is a likelihood of repetition of neglect should [the juvenile] be returned to [the] respondent’s care and custody.” *Id.* For the reasons stated in *In re J.C.L.*, we conclude that Father’s argument lacks merit. *See id.*

Father lastly argues that his criminal history and incarceration do not support a conclusion of neglect. “Our precedents are quite clear—and remain in full force—that incarceration, standing alone, is neither a sword nor a shield in a termination of parental rights decision.” *In re M.A.W.*, 370 N.C. at 153 (citation modified). Although “incarceration may limit a parent’s ability to show affection, it is not an excuse for a parent’s failure to show interest in a child’s welfare by whatever means available.” *In re S.D.*, 374 N.C. 67, 76 (2020) (citation modified). In *In re A.J.M.P.*, for example, this Court affirmed the trial court’s order terminating the respondent-father’s parental rights on the basis of neglect because, even though the respondent-father was imprisoned for half of his child’s life, he failed to show interest in his child’s welfare by withholding his love and affection from his child. 205 N.C. App. 144, 151 (2010). Notably, the respondent-father, while in prison, registered his child to receive a gift from the Angel Tree program; however, the respondent-father failed to send any letters, cards, or other gifts to his child. *Id.* Moreover, the respondent-father, despite having the ability to contribute to his child’s well-being, failed to provide any financial

support for his child. *Id.*

Here, unlike the respondent-father in *In re A.J.M.P.* who was in prison for an extensive period of time, Father has been in and out of jail numerous times since 2024. Yet, similar to the respondent-father in *In re A.J.M.P.*, Father failed to provide Vera with any letters, cards, gifts, clothes, or other personal items since May of 2024. And although Father testified that he had presents for Vera from Christmas 2024, it appears the trial court questioned the credibility of Father's testimony, as the trial court found that Father "made no efforts to give her those presents, if he is even being honest about having such presents in his possession." *In re D.L.W.*, 368 N.C. 835, 843 (2016) ("[T]he trial judge had the responsibility to pass upon the credibility of the witnesses and the weight to be given their testimony and the reasonable inferences to be drawn therefrom." (citation and internal quotation marks omitted)). Moreover, Father admittedly failed to willingly pay any child support, despite having a Child Custody Order that ordered Father to pay \$50.00 a month. These facts sufficiently support the trial court's conclusion that there was a likelihood of repetition of neglect.

Therefore, the trial court did not err in concluding that there were grounds to terminate Father's parental rights pursuant to N.C.G.S. § 7B-1111(a)(1). Since we conclude that there are grounds to terminate Father's parental rights under N.C.G.S. § 7B-1111(a)(1), we need not address the remaining grounds. *See In re P.L.P.*, 173 N.C. App. at 8. Nevertheless, we note that N.C.G.S. § 7B-1111(a)(4) was inapplicable in this case because Petitioners, who were awarded full custody of Vera in 2023, are

Vera’s grandparents, not Vera’s “parent[s].” *See In re M.R.F.*, 378 N.C. 638, 645 (2021) (concluding the trial court erred in determining grounds existed under subsection (a)(4) where, despite there being evidence that the juvenile’s maternal grandmother was awarded custody, there was no evidence that the juvenile’s other parent was awarded custody “by judicial decree or has custody by agreement of the parents”). Since Mother did not have custody of Vera, the trial court erred in concluding grounds existed under subsection (a)(4) to terminate Father’s parental rights. *See id.* at 646.

Finally, Father does not contest the court’s dispositional determination that terminating his parental rights was in Vera’s best interest. Accordingly, we affirm the trial court’s order terminating Father’s parental rights.

V. Conclusion

In sum, the trial court’s conclusion that there were grounds to terminate Father’s parental rights under N.C.G.S. § 7B-1111(a)(1) was supported by its findings of fact. Since the trial court needed to find only one of the grounds under N.C.G.S. § 7B-1111(a) to terminate Father’s parental rights, it is unnecessary to address the remaining grounds. Notably, however, the trial court improperly concluded that there were grounds to terminate Father’s parental rights pursuant to N.C.G.S. § 7B-1111(a)(4). Nonetheless, having determined that grounds existed for termination—and because Father does not challenge the trial court’s dispositional determination—we affirm the trial court’s order terminating Father’s parental rights.

AFFIRMED.

IN RE: V.A.C.

Opinion of the Court

Judges ZACHARY and FREEMAN concur.

Report per Rule 30(e).