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**DISTRICT COURT OF THE STATE OF UTAH
FIFTH JUVENILE COURT, WASHINGTON COUNTY**

<p>In the matter of:</p> <p>KYE CHRISTOPHER JANNSEN,</p> <p>A minor child.</p>	<p>VERIFIED PETITION TO TERMINATE PARENTAL RIGHTS</p> <p>Civil No.:</p> <p>Judge:</p>
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Petitioner, Donna Dove, by and through counsel, Luis M. Loubet of the law firm of Fisher & Hunter, LLC, hereby petitions this Court to terminate the parental rights of Blainey Elkins, and in support thereof alleges as follows:

1. Petitioner. Petitioner is a resident of Washington County, Utah, residing at 138 E 100 N, Ivins, Utah 84738. Petitioner was born May 5, 1950.
2. Minor Child. The minor child at issue is Kye Christopher Jannsen, a male child born July 19, 2014 in Benton County, Oregon. The minor child is five (5) years old and resides with Petitioner in St. George, Utah.
3. Relationship to Minor Child. Petitioner is the maternal grandmother of the minor child. Petitioner is the legal guardian of the minor child. The minor child has been in the

Petitioner's custody and care for the previous five and a half (5) years, since the child was a few months old..

4. Child's Mother. Respondent, Blainey Elkins, is the natural mother of the minor child. Respondents current address and location is unknown.

a. Respondent's date of birth is December 16, 1978.

5. Child's Father. There is no birth father listed on the birth certificate for the minor child.

6. Jurisdiction. Jurisdiction and venue is proper in Utah and in this Court inasmuch as the child and petitioner reside and are present in Washington County, Utah. Further, this Court has subject matter jurisdiction over this matter pursuant to Utah Code §78A-6-103(f).

7. Grounds. Grounds exist for the termination of Respondent's parental rights, and it is in the best interests of the minor child and strictly necessary for the Court to terminate the parental rights of the Respondent on the following grounds:

GROUND FOR TERMINATION

8. Abandonment. Respondent has abandoned the child by failing to show the normal interest of a natural parent toward the child, without just cause. Respondent has not physically seen or spoken with the minor child for the previous five and a half (5 1/2) years.

9. Neglect. Respondent has neglected the minor child by abandoning the minor child and by failing and refusing to provide proper or necessary subsistence or other care necessary for the child's health, safety, morals, or well-being.

10. Unfit or Incompetent. Respondent is unfit and incompetent as a parent as evidenced by the following:

- a. When the minor child was 2-3 months old, Respondent pointed a gun at another individual while Respondent was holding the minor child. This incident led to Petitioner receiving guardianship of the minor child.
 - b. Petitioner does not know the current whereabouts of the Respondent. However, the last Petitioner knew was the Respondent was living in a car somewhere in Oregon.
 - c. Respondent has continuously failed to provide the child with adequate food, clothing, shelter, education, or other care necessary for the child's physical, mental, and emotional health and development. Respondent has failed to financially contribute to or support the minor child.
11. No Effort by Respondent. Respondent has made no efforts to support the minor child, communicate with the minor child, to prevent neglect of the minor child, to eliminate the risk of serious harm to the child, and to avoid being an unfit parent.
- a. Respondent has provided no financial or other support for the child.
 - b. Respondent has not communicated or physically seen the child in over five and a half (5 ½) years.
 - c. Respondent has not sent any letters, cards, or gifts for the child.

BEST INTERESTS OF CHILD

12. It is absolutely essential to the child's best interest that Respondent's parental rights be permanently severed and terminated.
13. No other feasible options exist that could address the mother's unfitness and incompetence as a parent and the harm that it would cause to the child. Respondent has failed to

provide for the basic needs of the minor child.

14. The minor child has a supportive system of family, including a primary caretaker and guardian in her Petition, an extensively involved aunt who also resides with the child and guardian who helps to provide emotional, physical, and financial support.

15. Termination of Respondent's parental rights will facilitate the establishment of stability and permanency for the child as the child's aunt would like to adopt the minor child. Such adoption will continue to provide emotion, physical, and financial support for the minor child.

16. It is strictly necessary to the best interests of the child that the Court terminate the Respondent's parental rights.

PRAYER FOR RELIEF

17. Wherefore, Petitioner asks the court to terminate Respondent's parental rights.

Dated this 11th day of May, 2020.

/s/ Luis M. Loubet

Luis M. Loubet, Esq.

Attorney for Petitioner

VERIFICATION

STATE OF UTAH)
 :ss.
COUNTY OF WASHINGTON)

Donna Dove, after first being duly sworn, deposes and says: That I am the Petitioner in the above-entitled action; that I have read the foregoing *Petition to Terminate Parental Rights* and the same is true to the best of my knowledge.

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on the 11 day of May, 2020 at Washington County, Utah.



Donna Dove, Petitioner