

COURT OF APPEALS OF TENNESSEE

In re Kylee T.

No. W2025-01055-COA-R3-PT · No. W2025-01055-COA-R3-PT · Decided May 6, 2026

SUMMARY

The Tennessee Court of Appeals reviewed the termination of a mother's parental rights to her child. The court held that clear and convincing evidence supported abandonment by failure to financially support the child and that termination was in the child's best interest. The court affirmed the chancery court's judgment and remanded the case.

CASE DETAILS

COURT	Court of Appeals of Tennessee
WRITING FOR THE COURT	Thomas R. Frierson, II; Jeffrey Usman; Valerie L. Smith
JURISDICTION	Tennessee Court of Appeals
DECIDED	May 6, 2026
DOCKET	W2025-01055-COA-R3-PT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed as of right under Tennessee Rule of Appellate Procedure 3 from a chancery court judgment terminating her parental rights on the ground of abandonment by failure to financially support and finding termination in the child's best interest.
STANDARD OF REVIEW	Findings of fact in a termination-of-parental-rights case are reviewed de novo with a presumption of correctness unless the evidence preponderates otherwise, while questions of law are reviewed de novo without a presumption of correctness. The appellate court independently determines whether the facts amount to clear and convincing evidence sufficient to terminate parental rights. Witness-credibility determinations receive great weight and will not be disturbed absent clear and convincing evidence to the contrary.
PRECEDENTIAL VALUE	published
PARTIES	Starquesha T. v. Kenneth P., Sandra P.

TOPICS

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QUESTIONS PRESENTED

1. Whether the trial court erred in its factual findings concerning a cell phone allegedly provided by Mother to the child.
2. Whether clear and convincing evidence established abandonment by failure to financially support the child during the four-month statutory period preceding the termination petition.
3. Whether clear and convincing evidence established that termination of Mother's parental rights was in the child's best interest.

HOLDINGS

1. The trial court did not err in finding that Mother failed to substantiate her alleged payments for the child's cell phone and in crediting the testimony that the phone was broken and not used by the child.
2. Clear and convincing evidence established statutory abandonment by failure to financially support the child during the four-month period immediately preceding the filing of the termination petition.
3. Clear and convincing evidence established that termination of Mother's parental rights was in the child's best interest.
4. The trial court's inclusion of one extra day in calculating the statutory four-month period was harmless error because it did not affect the analysis or outcome.

KEY QUOTATIONS

“The parental rights at stake are “far more precious than any property right.”” (at 7)

“Ascertaining a child’s best interests involves more than a “rote examination” of the statutory factors.” (at 16)

“Simply put, the best interests analysis is and must remain a factually intensive undertaking, so as to ensure that every parent receives individualized consideration before fundamental parental rights are terminated.” (at 16)

FACTUAL BACKGROUND

The child, born in December 2014, began living with her biological father and stepmother in 2018 and remained in their sole custody after a no-contact order barred Mother from contact beginning in August 2021. Mother had a history of child-abuse and assault convictions, although she later completed parenting, anger-management, counseling, and other services and regained custody of two other children. Petitioners filed to terminate Mother's parental rights in February 2022, alleging abandonment and persistence of conditions. At trial, Mother

acknowledged that she had not made child-support payments and relied primarily on an unsubstantiated claim that she paid a cell-phone bill for the child.

PROCEDURAL HISTORY

Petitioners filed a petition in the Shelby County Chancery Court seeking termination of Mother's parental rights and stepparent adoption. After a bench trial, the chancery court found by clear and convincing evidence that Mother had abandoned the child by failing to provide financial support and that termination was in the child's best interest, while rejecting the persistence-of-conditions ground. Mother timely appealed. The Court of Appeals affirmed and remanded for enforcement of the judgment and collection of costs.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

Remanded to the trial court for enforcement of the judgment terminating Mother's parental rights and collection of costs assessed below.

CASES CITED

- In re F.R.R., III, 193 S.W.3d 528, 530 (Tenn. 2006)
- In re Carrington H., 483 S.W.3d 507, 522-24 (Tenn. 2016)
- In re M.L.P., 281 S.W.3d 387, 393 (Tenn. 2009)
- Jones v. Garrett, 92 S.W.3d 835, 838 (Tenn. Ct. App. 2002)
- Keisling v. Keisling, 92 S.W.3d 374, 378 (Tenn. 2002)
- In re Drinnon, 776 S.W.2d 96, 97 (Tenn. Ct. App. 1988)
- Santosky v. Kramer, 455 U.S. 745, 754, 758-59, 769 (1982)
- Lassiter v. Department of Social Services of Durham County, North Carolina, 452 U.S. 18, 27 (1981)
- In re Bernard T., 319 S.W.3d 586, 596-97 (Tenn. 2010)
- In re Audrey S., 182 S.W.3d 838, 861, 877-78 (Tenn. Ct. App. 2005)
- In re M.A.R., 183 S.W.3d 652, 660 (Tenn. Ct. App. 2005)
- In re Joseph F., 492 S.W.3d 690, 702 (Tenn. Ct. App. 2016)
- In re Jacob C.H., No. E2013-00587-COA-R3-PT, 2014 WL 689085, at *6 (Tenn. Ct. App. Feb. 20, 2014)
- In re Kierani C., No. E2020-00850-COA-R3-PT, 2021 WL 4057222, at *8 (Tenn. Ct. App. Sept. 3, 2021)
- In re Ashlynn H., No. M2020-00469-COA-R3-PT, 2021 WL 2181655, at *4 (Tenn. Ct. App. May 28, 2021)
- In re Jayda J., No. M2020-01309-COA-R3-PT, 2021 WL 3076770, at *18 (Tenn. Ct. App. July 21, 2021)
- In re Kaleb N.F., No. M2012-00881-COA-R3-PT, 2013 WL 1087561, at *23 (Tenn. Ct. App. Mar. 12, 2013)
- In re Angela E., 303 S.W.3d 240 (Tenn. 2010)
- In re Kaliyah S., 455 S.W.3d 533, 555 (Tenn. 2015)
- White v. Moody, 171 S.W.3d 187, 193-94 (Tenn. Ct. App. 2004)

- In re Gabriella D., 531 S.W.3d 662, 681-82 (Tenn. 2017)
- In re Chayson D., 720 S.W.3d 123, 146 (Tenn. Ct. App. 2023)

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