

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

IN RE: THE A. CHILDREN : APPEAL NO. C-180018
 : TRIAL NO. F16-1288Z

 : *JUDGMENT ENTRY.*

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist.Loc.R. 11.1.1.

Appellant mother appeals the decision of the Hamilton County Juvenile Court awarding permanent custody of her four children to appellee Hamilton County Department of Job and Family Services (“HCJFS”). In her sole assignment of error, she contends that the juvenile court erred in granting permanent custody to HCJFS. This assignment of error is not well taken.

First, mother argues that the trial court erred in denying her motion for an extension of temporary custody. R.C. 2151.415(D) provides that the court may extend the temporary custody order of the child for a period of up to six months, if it determines by clear and convincing evidence that the extension is in the best interest of the child, there has been significant progress on the case plan of the child, and there is reasonable cause to believe that the child will be reunified with one of the parents or otherwise be permanently placed within the extension period.

Even if the criteria are met, the statute provides that the court may grant an extension, not that it must do so. The decision whether to grant the motion was within the trial court’s discretion. *In re W.H.*, 5th Dist. Stark No. 2015CA00120, 2015-Ohio-4361, ¶ 32; *In re H.G.*, 12th Dist. Clinton No. CA2014-11-014, 2015-Ohio-

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1764, ¶ 19-20; *In re C.G.*, 9th Dist. Summit Nos. 24099 and 24097, 2008-Ohio-3773, ¶ 7.

None of the three criteria was shown by clear and convincing evidence. Mother had not made much progress remedying the problems described in the case plan, there was not reasonable cause to believe that any of the children could be reunified with mother during the extension period, and an extension was not in the children's best interest. Consequently, the trial court did not err in denying mother's motion for an extension of temporary custody.

Next, mother argues that clear and convincing evidence did not support the trial court's decision to award permanent custody of the children to HCJFS. The record shows that clear and convincing evidence supported the trial court's determination that the children could not or should be placed with one of their parents within a reasonable time, and that a grant of permanent custody was in the children's best interest. *See* R.C. 2151.414(B); *In re M., R., & H. Children*, 1st Dist. Hamilton No. C-170008, 2017-Ohio-1431, ¶ 17. Therefore, the evidence was sufficient to support an award of permanent custody to HCJFS. *See In re A.B.*, 1st Dist. Hamilton Nos. C-150307 and C-150310, 2015-Ohio-3247, ¶ 15. We overrule mother's sole assignment of error and affirm the trial court's judgment.

A certified copy of this judgment entry constitutes the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

CUNNINGHAM, P.J., MYERS and DETERS, JJ.

To the clerk:

Enter upon the journal of the court on March 30, 2018
per order of the court _____.
Presiding Judge