

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE

Assigned on Briefs January 3, 2003

K. D. F. , ET AL. v. J. F.

**Appeal from the Chancery Court for Greene County
No. 20010271 Thomas R. Frierson, II, Chancellor**

FILED JANUARY 29, 2003

No. E2002-01117-COA-R3-CV

This is a suit by K. D. F. and her present husband, R. J. F., Jr., seeking to terminate the parental rights of J. F. as to Z.T.J.F (d.o.b. June 8, 1998), preparatory to Mr. F. adopting the child in a future proceeding. Mr. F. appeals a determination by the Trial Court that his parental rights should be terminated, contending that the statutory grounds for such a determination were not met. We affirm.

**Tenn.R.App.P. 3 Appeal as of Right; Judgment of the Chancery Court Affirmed:
Cause remanded**

HOUSTON M. GODDARD, P.J., delivered the opinion of the court, in which HERSCHEL P. FRANKS and CHARLES D. SUSANO, JR., JJ., joined.

J. Russell Pryor, Greeneville, Tennessee, for the Appellant, J. F.

J. Gregory Bowman, Greeneville, Tennessee, for the Appellees, K. D. F. and R. J. F., Jr.

MEMORANDUM OPINION

After a review of the record, including the judgment entered by the Trial Court and the briefs of the parties, we are of the opinion that this is an appropriate case for affirmance under Rule 10 of this Court.

Before concluding, we note that—although not raised by Mr. F.—the Trial Court did not find by clear and convincing evidence that termination of Mr. F.’s parental rights was in the child’s best interest. Instead, the Court found that termination was “clearly in the manifest best interests” of the child.

We believe the words “manifest” and “clear and convincing” are synonymous as they relate to the required statutory measure of proof. However, even if not, we, upon our *de novo* review, find that the evidence is clear and convincing relative to the best interest of the child.

For the foregoing reasons the judgment of the Trial Court is affirmed and the cause remanded for such further proceedings, if any, as may be necessary and collection of costs below. Costs of appeal are adjudged against J. F.

HOUSTON M. GODDARD, PRESIDING JUDGE