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NOT TO BE PUBLISHED

Commonwealth of Kentucky

Court of Appeals

NO. 2025-CA-1069-ME

C.D. APPELLANT

v. APPEAL FROM SIMPSON CIRCUIT COURT
FAMILY COURT DIVISION
HONORABLE ASHLEY DOUGLAS, JUDGE
ACTION NO. 23-J-00009-001

COMMONWEALTH OF KENTUCKY;
A.D., A MINOR CHILD; J.D.; AND
T.S. APPELLEES

AND

NO. 2025-CA-1071-ME

C.D. APPELLANT

v. APPEAL FROM SIMPSON CIRCUIT COURT
FAMILY COURT DIVISION
HONORABLE ASHLEY DOUGLAS, JUDGE
ACTION NO. 23-J-00008-001

COMMONWEALTH OF KENTUCKY;
H.D., A MINOR CHILD; J.D.; AND
T.S. APPELLEES

AND

NO. 2025-CA-1072-ME

C.D. APPELLANT

v. APPEAL FROM SIMPSON CIRCUIT COURT
FAMILY COURT DIVISION
HONORABLE ASHLEY DOUGLAS, JUDGE
ACTION NO. 23-J-00007-001

COMMONWEALTH OF KENTUCKY;
B.D., A MINOR CHILD; J.D.; AND
T.S. APPELLEES

OPINION
AFFIRMING

** ** ** ** **

BEFORE: THOMPSON, CHIEF JUDGE; L. JONES AND TAYLOR, JUDGES.

JONES, L., JUDGE: C.D.[1] (Mother) appeals from the orders of the Simpson Circuit Court, Family Court Division (family court), that determined her three children, A.D., H.D., and B.D. were abused or neglected. Although each child is the subject of a separate appeal, because the appeals involve identical issues and

[1] Pursuant to Kentucky Court of Appeals Administrative Order No. 2006-10, to protect the privacy of minors, we refer to parties in juvenile dependency, neglect, and abuse cases by initials.

were adjudicated simultaneously in the family court, we have considered the appeals together and will address all three appeals in this Opinion. After careful review, we affirm.

I. FACTUAL AND PROCEDURAL BACKGROUND

On January 24, 2023, T.S. (Aunt)[2] filed three juvenile dependency, neglect, or abuse (DNA) petitions in Simpson Family Court alleging the children were abused or neglected, with Mother being responsible for the neglect or abuse.[3] In her petitions, T.S. alleged A.D. (a nine-year-old female) and H.D. (a seven-year-old male) came to her house claiming to be hungry and that their mother had not been home for two days.[4] The petition further alleged that after Aunt got food for A.D. and H.D., she found an officer was at the children's residence, waiting to arrest Mother. Mother was arrested that night,[5] and Aunt was granted emergency custody of the children. At a temporary removal hearing on January 27, 2023, Mother stipulated to temporary removal of the children and placement with Aunt.

[2] Aunt is the paternal aunt of Mother and great-aunt to the children.

[3] J.D. (Father) was not named as a person being responsible for neglect or abuse as Aunt alleged that he was not living at the children's residence, but instead lived in Indiana and had recently been released from prison.

[4] The petition relating to B.D. (then age eleven) did not indicate where he was when A.D. and H.D. came to Aunt's house.

[5] A uniform citation accompanying T.S.'s affidavit for an emergency custody order noted Mother was arrested that night for three counts of abandonment of a minor, three counts of endangering the welfare of a minor, and one count of resisting arrest.

The family court continued adjudication of the petitions numerous times over the next two years while Mother attempted, unsuccessfully, to resolve her criminal charges. The family court held an adjudication hearing on March 12 and March 26, 2025. While the testimony was contradictory, Mother claimed at the adjudication she never left the children overnight without supervision and on January 23, 2023, Aunt had agreed to look after the children.

The Commonwealth's proof relied on testimony from Aunt, A.D., B.D., and Officer Tim Summers of the Franklin Police Department who arrested Mother the night of January 24, 2023. Aunt testified that about 4:30 p.m. on January 24, 2024, the children knocked on her door. They were wearing dirty clothes and told Aunt their mother had not been home "in days," and they were "starving."[6] Aunt testified that she took the children out to get them food. After getting the children some food, Aunt testified she went to Mother's house. Aunt testified Mother was not at the house, but a police officer was.

Aunt specifically denied that the children stayed with her the night of January 23, 2023, and denied having any contact with Mother that day. Aunt also denied taking the children to school on January 24, 2023. Central to Mother's argument on appeal, Mother attempted to impeach Aunt with several text messages

[6] Aunt testified as to the children's statements following in-chambers testimony of A.D. and B.D. without any objection by Mother. Aunt did not clarify if two of the children or all three came to her door. It was later established that Mother and the children lived on the same street as Aunt.

purportedly between the two on January 23 and January 24, 2023, but Aunt denied any knowledge of those messages.[7] Aunt also testified she babysat the children twice, once on December 23, 2022, and another day in January, though she could not remember which day; however, Aunt was clear she did not babysit the children on January 23.

B.D. and A.D. testified separately in chambers. A.D. testified that on January 24, 2023, B.D. locked her and H.D. out of the house so he could play video games, so A.D. and H.D. went to Aunt's house because they were hungry. A.D. clarified she had eaten that day, and there was food in her house, but B.D. did not always know how to prepare it. A.D. also testified that Mother never left them alone for entire days, but there were times when the children would wake up and Mother would not be there, requiring B.D. to help the younger siblings get ready for school. A.D. testified she told a teacher that Mother had not been around for a couple of days, but she told the family court she would see Mother at some point in the day. When asked about where she slept the night of January 23, 2023, A.D. said she slept at her house and had only stayed with Aunt one time.

B.D. testified he locked his siblings out of the house on the afternoon of January 23, 2023. B.D. also testified Mother was home after school most of the time, but some mornings Mother would be gone when the children woke up, and

[7] Aunt later confirmed her phone number, and that phone number matched the text messages.

he had to help the younger children get ready for school. B.D. also testified that there was food in the house, though sometimes he had to call others on the telephone for help to prepare it. B.D. testified he ate food in the home the night of January 24, 2023, when Aunt took the other children out to eat.

B.D. agreed he spoke with a police officer the night of January 24, 2023, but denied telling the officer Mother had not been at home for some time. B.D. stated he yelled at the police officer because Mother was crying. B.D. testified he had stayed with Aunt once before when Mother went out with a boyfriend, but believed that happened several days before January 24, 2023.

Officer Summers of the Franklin Kentucky Police Department testified he was called out to do a "welfare check" at Mother's residence on January 24, 2023. Officer Summers said when he arrived about 5:27 p.m., he made contact with B.D. and asked B.D. where Mother was. Officer Summers testified B.D. answered he did not know where she was, that she had left a couple days prior, and he had not seen her since. Officer Summers stated B.D. told him Mother had texted B.D. at about 4:00 p.m. that afternoon, saying she was working and would bring food home.[8] Officer Summers denied B.D. was crying or yelling; instead, Officer Summers claimed B.D. acted more mature than his years.

[8] Mother made no objection regarding Officer Summers testifying about B.D.'s statements.

At some point, Officer Summers spoke with Mother on the phone. Officer Summers did not testify to the contents of the conversations except that Mother was upset he was at her home.

Officer Summers said he left the scene at "19:09,"[9] and Mother had not yet returned to the home. At some point Officer Summers talked to all the children and they told him sometimes Mother would leave them at home for a couple weeks at a time. On that particular night, the children told Officer Summers that Mother had been gone for two days and had not made any arrangements to have someone stay with them. Officer Summers testified that at some point, the children were released to Aunt.

Per Officer Summers, his supervisor was watching Mother's house and later that night alerted him Mother had returned. Officer Summers said he was with Aunt when he received the notification, and he returned to Mother's house to effectuate her arrest at about 9:01 p.m.[10] Officer Summers claimed Mother resisted him, and "had to be taken to the ground" to effectuate the arrest.

Mother offered her own testimony, the testimony of J.T. (Grandfather), and several text messages purportedly between Mother and Aunt. Grandfather is the father of Mother and brother of Aunt. Grandfather testified that

[9] 7:09 p.m.

[10] Officer Summers did not testify as to the grounds for Mother's arrest.

around January 2023, he was living with his mother who lived near Mother and Aunt. Grandfather stated he would babysit the children, and he was not aware of the children ever being left alone without supervision. Grandfather also said Mother's home always had food, and the children were never hungry. However, Grandfather later admitted Mother had obtained a "restraining order"[11] against him that was in effect on January 23-24, 2023, and he was unaware of anything that happened at Mother's house during that time.

Mother testified on January 23, 2023, that she was at home that morning, woke the children up, and prepared them for school. Mother also testified she was a real estate agent in Tennessee and received a request to show a house that afternoon. Mother testified that she was expected to meet with an attorney in Tennessee to assist a real estate client with a "probate situation." Mother testified that she intended to return home that afternoon in time to meet B.D.'s school bus. When she realized she would be longer than expected, Mother testified that she asked Aunt to care for the children. Mother said she was scheduled to be in probate court with her real estate client the next morning in Tennessee, so she stayed the night with her mother in Nashville.

[11] Grandfather was unable to explain the specifics of which court issued the "restraining order." Mother later testified that she believed she sought out the restraining order on January 6, 2023, and proceedings relating to that restraining order were not resolved until after her arrest on January 24, 2023.

Mother said she made sure the children were in school the next morning and proceeded with her business that day. Mother testified that she sent a text to B.D., indicating that she would be leaving her office in Tennessee at 4:30 p.m. and would be bringing food. Mother could not recall the name of the client or the attorney.

Mother testified she was never gone for multiple consecutive days and there was food in the house. Mother specifically denied ever leaving the children alone overnight, and said she made arrangements for the children when she had to be gone overnight. Mother admitted there were times she would not be home when the children arrived home from school, but insisted the children were cared for during those afternoons.

Regarding the afternoon of January 24, 2023, Mother said she was already on her way home when she received a call from B.D. after Officer Summers showed up at the house. Mother testified that she was upset and asked Officer Summers why he was there. Mother said she was informed there was a warrant for her arrest unrelated to the children.[12] Mother testified that she first went to Aunt's house to make sure the children were cared for before going to her home to deal with Officer Summers.

[12] Mother later testified the warrant was for "theft of a license plate."

The text messages Mother offered consisted of four pages of black-and-white screenshots ranging from January 23 to March 3, 2023. Because the text messages are central to Mother's appeal, we describe them in some detail. The top of each screenshot identified Aunt's phone number but did not show any other identifying information indicating the number was saved as a contact. The text messages were not individually time-stamped, with several groups of text messages appearing under the same time-stamp even though the conversation appears to show a lapse in time.

On January 23, 2023, at 6:35 p.m., Mother messaged Aunt, asking "Can you swing by my house and scoop [A.D.] and [H.D.]? I'll bring you $20 to work tomorrow. I really appreciate it. I'm still at a showing."[13] Aunt responded, asking what time Mother would arrive home. Mother responded, "Not till late, we met the attorney here."[14] Aunt asked Mother to make sure H.D. had extra clean underwear.

In the same text string starting at 6:35 p.m., but apparently later in the evening, Aunt messaged Mother and asked, "Are you not at home?"[15] Mother

[13] Transcript of Record (TR) 2025-CA-1069 at 184; 2025-CA-1071 at 181; 2025-CA-1072 at 198. When quoting the text messages, we do so verbatim and without correction, except to use initials to protect the privacy of the children or to provide punctuation for clarity.

[14] TR 2025-CA-1069 at 184; 2025-CA-1071; at 181; 2025-CA-1072 at 198.

[15] TR 2025-CA-1069 at 184; 2025-CA-1071 at 181; 2025-CA-1072 at 198.

responded with several texts in a row, saying, "Oh no!! No I'm not But I did confirm with the police that it's okay[.]"[16] Aunt replied, "Is it because [B.D.] is almost 12[?]"[17] Mother then messaged, "Yes Where are they[?]"[18] Aunt responded, "I am trying to get them now. Had to put some of their clothes in the wash for school tomorrow."[19] Mother ended the conversation noting where extra clothes for the children could be found.

Aunt next texted Mother on January 24, 2023, at 5:26 a.m., saying "[Mother] are you home. I washed some of their clothes last night and [B.D.] was going to put them in the dyer."[20] Mother did not respond. At 6:36 a.m., Aunt messaged Mother four times to ask where she was.

At 8:59 a.m. on January 24, 2023, Mother messaged Aunt, saying "Did everyone make it okay? I was late, I crashed at my moms. Idk how but I just woke up and I'm heading to court[.]"[21] Aunt responded that she had washed the children's clothes for school, and she had fed the children eggs that morning.

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[16] TR 2025-CA-1069 at 184-85; 2025-CA-1071 at 181-82; 2025-CA-1072 at 198-99.

[17] TR 2025-CA-1069 at 185; 2025-CA-1071 at 182; 2025-CA-1072 at 199.

[18] TR 2025-CA-1069 at 185; 2025-CA-1071 at 182; 2025-CA-1072 at 199.

[19] TR 2025-CA-1069 at 185; 2025-CA-1071 at 182; 2025-CA-1072 at 199.

[20] TR 2025-CA-1069 at 185-86; 2025-CA-1071 at 182-83; 2025-CA-1072 at 199-200.

[21] TR 2025-CA-1069 at 186; 2025-CA-1071 at 183; 2025-CA-1072 at 200.

At 5:30 p.m. on January 24, 2023, Aunt messaged Mother saying, "We're [sic] are you your children are hungry."[22] Mother responded, "I told him I was getting off at [4:30] grabbing dinner and heading that way[.]"[23] The final text message on January 24, 2023, was from Mother to Aunt, asking, "Do you have them!?"[24] The remaining text messages on the final page of screenshots did not concern the events of January 23-24, 2023.

Following the close of proof and arguments of counsel, the family court made oral findings of fact from the bench. The family court found, by a preponderance of the evidence, the children were neglected or abused due to being left for extended periods of time throughout the day and overnight. The family court found the testimony of Officer Summers and Aunt to be credible and Mother's evidence not credible. Specifically, regarding the text messages, the family court stated in its oral findings:

> I struggle with the text messages for a couple of reasons. One – I am a little concerned that, you know, there were hours before there was any kind of reach-out, um, from [Mother] to [Aunt.] If I were to – If I do believe these [text messages], it took her hours to reach out to even request assistance.

[22] TR 2025-CA-1069 at 186; 2025-CA-1071 at 183; 2025-CA-1072 at 200.

[23] TR 2025-CA-1069 at 186-87; 2025-CA-1071 at 183-84; 2025-CA-1072 at 200-201.

[24] TR 2025-CA-1069 at 187; 2025-CA-1071 at 184; 2025-CA-1072 at 201.

> Um, then, I think it speaks volumes that there was simply an assumption that we were going to get these text messages and it was going to say, you know, "Aunt" or [Aunt T.S.] or [T.S.] or – they [inaudible] don't have a name on it. If we're talking about someone's aunt, that is regularly helping with their kids and watching them, and she's not even labeled in your phone – which would mean she doesn't have the number saved in the phone.
>
> So I struggle a little bit with the credibility of that, and the credibility of saying, "Well, you know, she was watching the children – sometimes – and she would help out with my kids." That's more consistent with the aunt's testimony which was that she rarely watched the kids. She said there were times she could remember keeping them overnight – um – and I'll note these children – I did ask them if they stayed overnight with their aunt the night before. They both pretty immediately said to me, "Nope. We had stayed there before – a little while before that we had stayed, but not the night before all this happened." Um, both kids were pretty consistent with that, um, in what they said to me, um, when I asked that question.[25]

However, the family court noted that while the evidence may have shown A.D. and H.D. were hungry when they came to Aunt's house, there was nothing to indicate the children lacked food in the home.

On March 27, 2025, the family court entered written findings of fact in accordance with the oral findings. Following a disposition hearing on May 21, 2025, the family court ordered the children remain with Aunt and allowed Mother

[25] Video Record (VR) 3/26/2025 at 12:36:30 p.m.–12:38:15 p.m.

visitation at the discretion of the Cabinet for Health and Family Services (Cabinet). Mother filed timely notices of appeal in each case.[26]

On appeal, Mother asserts the evidence adduced at the adjudication did not establish the truth of the allegations in Aunt's petition nor did evidence at the adjudication establish the children were neglected or abused. Mother also claims the trial court erred in deciding the credibility of the evidence; in particular, Mother claims the trial court erred in finding the text messages not credible.

II. STANDARD OF REVIEW

"Under KRS[27] 610.080, DNA actions are bifurcated proceedings, *i.e.*, they involve two distinct hearings: adjudication and disposition. The adjudication determines the truth or falsity of the allegations in the DNA petition[.]" *M.C. v. Cabinet for Health and Fam. Servs.*, 614 S.W.3d 915, 920-21 (Ky. 2021) (footnote omitted). At the adjudication, "[t]he burden of proof shall be upon the

[26] Following the disposition hearing, Mother filed a motion to alter, amend, or vacate, alleging Aunt made arrangements for Father to keep the children for the entire summer of 2025 at his home in Indiana and there was confusion regarding the Cabinet's authority to intervene. Notably, that motion to alter, amend, or vacate did not concern the adjudication; however, it rendered the underlying judgment following disposition interlocutory until it was resolved. *Atkisson v. Atkisson*, 298 S.W.3d 858, 866 (Ky. App. 2009). Additionally, "[t]he rights of all parties to a DNA action are not fully adjudicated for the purposes of appellate review until both the adjudication and disposition hearings have been completed" and "a disposition order . . . is the final appealable order with regard to a decision whether a child is dependent, neglected, or abused." *M.C. v. Cabinet for Health and Fam. Servs.*, 614 S.W.3d 915, 921 (Ky. 2021) (internal quotation marks and citations omitted). Mother filed her notices of appeal timely after resolution of that motion.

[27] Kentucky Revised Statutes.

complainant, and a determination of dependency, neglect, and abuse shall be made by a preponderance of the evidence." KRS 620.100(3). "A finding by a preponderance of the evidence simply means a finding of more likely than not." *Pennie v. Mohamed*, 720 S.W.3d 606, 619 (Ky. App. 2025).

Our Supreme Court has noted:

> In DNA actions, the trial court is afforded a great deal of discretion in determining whether the child in question was neglected or abused. A family court's findings of fact in a DNA action shall not be set aside unless clearly erroneous. A finding of fact is clearly erroneous if it is not supported by substantial evidence. [S]ubstantial evidence is evidence that when taken alone or in the light of all the evidence . . . has sufficient probative value to induce conviction in the mind of [a] reasonable [person]. Regardless of conflicting evidence, the weight of the evidence, or the fact that the reviewing court would have reached a contrary finding, due regard shall be given to the opportunity of the trial court to judge the credibility of the witnesses, because judging the credibility of witnesses and weighing evidence are tasks within the exclusive province of the trial court.
>
> In turn, if the family court's findings of fact are supported by substantial evidence, and it applied the correct law, its decision will not be disturbed absent an abuse of discretion. The test for abuse of discretion is whether the trial judge's decision was arbitrary, unreasonable, unfair, or unsupported by sound legal principles.

Cabinet for Health and Fam. Servs. v. K.O., 721 S.W.3d 124, 130 (Ky. 2025) (internal quotation marks and citations omitted).

With these principles in mind, we turn to Mother's arguments.

III. ANALYSIS

Before we delve into Mother's arguments, the Commonwealth correctly notes Mother's brief contains no preservation statement required by RAP[28] 32(A)(4). Furthermore, we note Mother fails to cite any authority in her opening or reply brief aside from KRS 600.020(1) (the statutory definition of "abused or neglected child") and KRS 620.100(3) (stating that the purpose of the adjudication hearing is to "determine the truth or falsity of the allegations in the complaint" and the burden is preponderance of the evidence). Our appellate rules likewise require "citations of authority pertinent to each issue of law[.]" RAP 32(A)(4). "Searching for cases and arguments to promote and support one position is not [the appellate courts'] role. Rather, that is counsel's job to perform." *W.I.S. v. K.M.B.*, 722 S.W.3d 569, 575 (Ky. App. 2025).

Failure to comply with RAP can leave a party open to sanctions. *See* RAP 10(B) (listing non-exclusive sanctions available to an appellate court for failure to substantially comply with RAP). Mother's failure to include a preservation statement alone is serious enough to warrant sanctions as "[o]ur Supreme Court has strictly mandated compliance with the preservation statement requirements in briefs since its inception under the prior Kentucky Rules of Civil Procedure." *W.I.S*, 722 S.W.3d at 576 (internal quotation marks and citation

[28] Kentucky Rules of Appellate Procedure.

omitted). However, we will not impose any sanctions at this time because: (1) the Commonwealth did not request any sanctions; (2) Mother's argument is limited to the sufficiency of the evidence in an obviously contested evidentiary proceeding; and (3) the standard of review on appeal is strongly deferential to the family court.

Mother's arguments on appeal are essentially that the evidence supported her version of events and thus the contents of the petition were not proven by a preponderance of the evidence; the children were never truly left alone or in danger if she was gone because Aunt lived nearby.[29] We disagree.

Mother claims in her reply brief that the only witnesses who had direct knowledge of whether she left the children alone overnight, *i.e.*, A.D., B.D., and herself, all agree that Mother never did so. Mother implicitly argues her testimony and the children's testimony on that subject should carry greater weight than that of Officer Summers and Aunt.

Even though A.D. and B.D. told the family court they had never been left alone overnight, A.D. testified she told a teacher otherwise. Aunt testified A.D. and H.D. told her the children had not seen Mother for two days.[30] Officer

[29] Mother also argues the evidence adduced at the adjudication hearing shows the children were never without food. We do not address those arguments because they are moot; the family court specifically noted in its oral findings that it did not believe the children lacked food.

[30] In her reply brief, Mother attacks Aunt's credibility, claiming she was biased against Mother because Aunt tried to give custody of the children to Father for the summer. We note those events occurred *after* the adjudication, and, thus, the family court could not possibly have taken any of those facts into account to determine Aunt's credibility at the adjudication hearing.

Summers testified B.D. told him he had not seen Mother for two days. Both A.D. and B.D. testified there were mornings Mother would not be home when they woke up and B.D. would help his siblings get ready for school.

In DNA adjudications, the family court is the trier of fact. "It has long been held that the trier of fact has the right to believe the evidence presented by one litigant in preference to another. The trier of fact may believe any witness in whole or in part." *Commonwealth v. Anderson*, 934 S.W.2d 276, 278 (Ky. 1996). The family court did not make findings that the children were left alone overnight out of whole cloth; the family court made factual findings based on conflicting evidence. And those findings are supported by substantial evidence.

Mother also claims nothing shows the text messages were not "authentic," essentially arguing the trial court should not have disregarded the texts or found their weight less than other testimony. Mother argues the Commonwealth claimed that the texts could have been manipulated, but there was no evidence to support any contention that Mother had the expertise or equipment necessary to alter or manipulate text messages.

The family court did admit the text messages, but we note there is a difference between "authenticity" when it comes to admission of evidence and "authenticity" when it comes to the trier of fact believing such evidence. KRE[31]

[31] Kentucky Rules of Evidence.

901(a) provides that "[t]he requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims." However, the burden on the proponent for *admissibility* is "slight" and "only a prima facie showing of authenticity is required." *Sanders v. Commonwealth*, 301 S.W.3d 497, 501 (Ky. 2010). "[T]his means of course that the [family court] decides only if the evidence can be admitted and the trier of fact determines the authenticity of the evidence and its probative force." *Hall v. Commonwealth*, 468 S.W.3d 814, 831 (Ky. 2015).

In other words, the family court found the text messages admissible but still retained the right to ultimately determine their credibility. Although there was no testimony about whether Mother possessed any technical knowledge or equipment to manipulate text messages, our Supreme Court has acknowledged the ease in which text messages can be altered. *See Brafman v. Commonwealth*, 612 S.W.3d 850, 867-68 (Ky. 2020) (footnotes omitted) ("[T]he susceptibility of cellular messages and screenshots to quick fabrication and alteration requires a more discerning eye from the trial court and more than mere assertions by a lay witness that they were sent by the criminal defendant."). Here, the family court used its common sense to question whether the text messages were genuine when those text messages did not appear to show Mother saved Aunt's name or some

other identifier in her phone contacts, whether Aunt looked after the children frequently, or whether Mother had a close association with Aunt. And as trier of fact, it was the family court's prerogative to use those considerations in determining whether the text messages were genuine.

Finally, Mother argues the children were never subject to any risk of harm. In her brief, Mother claims: "[e]ven if the children needed help for a short period, their great-aunt, T.S., lived close by and they could easily walk to her home, as they did in this case. They had apparently done so before, and no party argued that they were ever not safe in doing so." Appellant's Brief at 9 (citation to the record omitted). Mother does not define "a short time" or "close by." When asked how far she lived from Aunt during the adjudication hearing, Mother testified, "[T.S.] lived on the same street as me, less than a quarter of a mile." However, as noted earlier, *supra*, the family court "is afforded a great deal of discretion in determining whether the child in question was neglected or abused." *K.O.*, 721 S.W.3d at 130. The family court found that considering their ages, the children should not be left alone for several hours at a time. There is nothing arbitrary, unreasonable, or unfair in the family court's decision.

IV. CONCLUSION

Substantial evidence supports the family court's decision that the children were neglected or abused by Mother. Mother disagrees with the family

court's findings, but our task is not to determine whether we would come to a different conclusion, only to decide if the family court's findings were supported by substantial evidence. Therefore, the May 21, 2025 judgments of the Simpson Circuit Court, Family Court Division are AFFIRMED.

We view any remaining contentions of error as moot, unpersuasive, unpreserved, or without merit.

ALL CONCUR.

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