

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of R. M.-W., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHANTEL MACKEY,

Respondent-Appellant,

and

RALPH WALLS,

Respondent.

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UNPUBLISHED

May 18, 2001

No. 230977

Washtenaw Circuit Court

Family Division

LC No. 96-024245-NA

Before: Holbrook, Jr., P.J., and Hood and Griffin, JJ.

**MEMORANDUM.**

Respondent appeals as of right from an order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) and (3)(j); MSA 27.3178(598.19b)(3)(c)(i) and (3)(j). We affirm.

In 1996, there was a substantiated claim of neglect raised against respondent. The minor child was taken to the hospital when his father discovered a burn on the child's leg. There were also scars on the child's arm from prior burns. The child was removed from respondent's care. Respondent was asked to work with agency representatives in order to reunite the family. However, respondent did not participate with agency representatives, and the case was closed by Families First on two occasions during a two-year supervisory period. Respondent did ultimately complete parenting classes, but failed to notify the agency of her employment and failed to visit the child regularly. Additionally, respondent failed to accept any responsibility for the child's abuse and failed to attend therapy. Respondent, on the other hand, alleged that she had complied to the extent she could without agency assistance due to personality conflicts. The trial court did not find respondent's testimony regarding the lack of assistance to be credible and concluded that

clear and convincing evidence to support the termination was presented. The trial court acknowledged that recent steps were taken by respondent to reunite with her other children in foster care, but those steps were insufficient to stay the termination involving this minor child.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 352; 612 NW2d 407 (2000). There was no evidence that respondent could provide proper care and custody within a reasonable period of time considering the age of the child. Termination was required unless the court found that termination was clearly not in the child's best interests. *Id.* at 364-365. On this record, we cannot conclude that termination was clearly not in the child's best interests.

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Harold Hood

/s/ Richard Allen Griffin