

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of CEDRIC HARRIS, JR., BRIANNA  
RENEE HARRIS, and MARIAH SHANTANE  
HARRIS, Minors.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

v

FRANCINE JOHNSON,  
  
Respondent-Appellant,

and

CEDRIC HARRIS,  
  
Respondent.

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UNPUBLISHED  
March 1, 2002

No. 234002  
Wayne Circuit Court  
Family Division  
LC No. 94-313903

Before: Bandstra, P.J., and Murphy and Murray, JJ.

MEMORANDUM.

Respondent appeals the trial court's order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(g), (i), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.*, 356-357.

We hold the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination. Petitioner presented clear and convincing evidence that respondent could not provide proper care or custody of the children and could not be expected to

do so within a reasonable time, MCL 712A.19b(3)(g), and it was reasonably likely the children would be harmed if returned to respondent's care. MCL 712A.19b(3)(j). It was undisputed that respondent's parental rights to three other children had been terminated based on evidence that those children were physically abused, and that attempts to rehabilitate respondent were unsuccessful. MCL 712A.19b(3)(i). The evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *Trejo, supra*.

Affirmed.

/s/ Richard A. Bandstra  
/s/ William B. Murphy  
/s/ Christopher M. Murray