

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ANTOYA ALEXIS LAMYRE
COX and SHAYLA AMIRE IMANI BROWN,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

IKISHA NICOLA BROWN,

Respondent-Appellant,

and

ANTOINE MICHAEL COX and COREY
JEFFERIES,

Respondents.

UNPUBLISHED

April 23, 2002

No. 231729

Wayne Circuit Court

Family Division

LC No. 99-376817

Before: Gage, P.J., and Griffin and Buth*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial court clearly erred in finding grounds for termination under subsection 19b(3)(c)(i). The evidence did not establish that the conditions leading to adjudication—respondent’s inability to meet the child’s special medical needs—was unlikely to be rectified within a reasonable time. However, the trial court did not clearly err in finding that subsections 19b(3)(g) and (j) were established by the evidence. The evidence established that Antoya sustained numerous fractures in 1999, that these fractures were not related to a brittle bone condition, and that respondent could not explain how these injuries occurred. The evidence also established that Antoya suffered a fractured femur when returned to respondent’s care, that this

* Circuit judge, sitting on the Court of Appeals by assignment.

injury was not accidental, that she did not have a brittle bone condition, and that respondent could not explain how the injury occurred. This establishes a pattern of Antoya being abused while in respondent's care, and served as sufficient evidence for termination under subsections 19b(3)(g) and (j). MCR 5.974(I), *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Because the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests, the trial court did not err in terminating her parental rights. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Hilda R. Gage
/s/ Richard Allen Griffin
/s/ George S. Buth