

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

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In the Matter of DION JOSEPH DAVIDSON,  
Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KRYSTAL FRANCES DAVIDSON,

Respondent-Appellant,

and

FREDDIE FRED THOMPSON,

Respondent.

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UNPUBLISHED

April 23, 2002

No. 233243

Wayne Circuit Court

Family Division

LC No. 00-391061

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

MEMORANDUM.

Respondent appeals as of right from an order terminating her parental rights to the minor child pursuant to MCL712A.19b(3)(g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence demonstrated that respondent was unable to provide proper care or custody for the child because of her mental illness and there was no reasonable likelihood that she would have been able to do so within a reasonable time. Due to respondent's lack of insight into her illness, there was a reasonable likelihood that the child would be have been harmed if released to respondent's care. Even if the trial court improperly used respondent's mother's testimony regarding respondent's history of mental illness against respondent, any error was harmless in light of the medical records admitted into evidence at the

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

termination hearing which detailed respondent's long-term struggle with severe mental illness and supported termination of respondent's parental rights.

Additionally, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent had not seen the child since his birth and made no effort to keep in contact with the FIA. Thus, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

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