

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of C.A.K.C., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TINA MICHELLE COOPER, a/k/a TINA
MICHELLE COOPER NICKSON,

Respondent-Appellant.

UNPUBLISHED

August 30, 2002

No. 236957

Wayne Circuit Court

Family Division

LC No. 99-380868

Before: White, P.J., and Neff and Jansen, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court's order terminating her parental rights to her child pursuant to MCL 712A.19b(3)(c)(i) and (g).¹ 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*, 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, 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.* at 356-357.

We hold that the trial court did not clearly err in finding that petitioner established by clear and convincing evidence the existence of one or more statutory grounds for the termination of respondent's parental rights. The child was taken into custody after being found alone in a house with no food. The evidence at the permanent custody hearing demonstrated that respondent had been diagnosed with paranoid schizophrenia, a condition for which she had been

¹ The trial court's order did not terminate the parental rights of Lee Rudolph, the child's father. The child has been placed with Rudolph.

hospitalized several times and for which she would require lifelong treatment, and that she did not always take the prescribed medication regularly. The evidence established that when respondent did not take medication she engaged in bizarre and potentially dangerous behavior. She made some effort to comply with her treatment plan, but made little progress. The trial court did not clearly err in finding that termination of respondent's parental rights was warranted on the grounds that the conditions that led to adjudication continued to exist and that it was not reasonably likely that those conditions would be rectified within a reasonable time, MCL 712A.19b(3)(c)(i), and that respondent failed to provide proper care or custody for the child and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g). The evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. *Trejo, supra*; MCR 5.974(I).

Affirmed.

/s/ Helene N. White

/s/ Janet T. Neff

/s/ Kathleen Jansen