

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of T.M.W. and B.S.R., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

RASHENA WALKER,

Respondent-Appellant,

and

ERIC RICHMOND and CHARLES HILL,

Respondents.

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UNPUBLISHED

November 1, 2002

No. 239017

Berrien Circuit Court

Family Division

LC No. 99-000053-NA

Before: Hoekstra, P.J., and Wilder and Zahra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the circuit court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The conditions that lead to the adjudication were (1) respondent's failure to properly care for the children's medical needs and (2) respondent's inadequate housing and parenting skills. Although respondent made some progress toward improving these conditions, her progress was not sustained and any gains she had achieved vanished. The children's respiratory problems required that they wear facemasks outdoors to avoid bouts of asthmatic breathing. The children were also required to take numerous medications. However, the evidence suggests that the children were not being properly medicated and respondent admitted she did not put the masks on the children when they went outdoors. Evidence was also presented that respondent was not reliable with respect to maintaining parenting time with the children.

Based on the record as a whole, we conclude the circuit 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). Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612

NW2d 407 (2000). Thus, the circuit court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Kurtis T. Wilder

/s/ Brian K. Zahra