

STATE OF MICHIGAN  
COURT OF APPEALS

---

In the Matter of M.O.T. and J.K.P., Minors.

---

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VORONDA PRICE,

Respondent-Appellant,

and

MURIU KIAMBU WILLIAMS,

Respondent.

---

UNPUBLISHED

December 20, 2002

No. 235416

Wayne Circuit Court

Family Division

LC No. 00-393281

Before: Owens, P.J., and Murphy and Cavanagh, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating her parental rights to M.O.T. and J.K.P. pursuant to MCL 712A.19b(3)(j).<sup>1</sup> 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*, 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

---

<sup>1</sup> The trial court's order also terminated the parental rights of respondent Muriu Kiambu Williams, the putative father of J.K.P. The parental rights of Henry Toney, the legal father of M.O.T., were not terminated. The trial court did not terminate respondent's parental rights with respect to two other children.

712A.19b(5); *In re Trejo*, 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 a statutory ground for the termination of respondent's parental rights.<sup>2</sup> The evidence showed that J.K.P. was diagnosed with severe dehydration and multiple organ damage, including permanent brain damage, within two days after being removed from respondent's custody. The child's physician testified that the child's condition was due to improper care received while in respondent's custody. Respondent failed to take proper care of J.K.P. notwithstanding the fact that while the child was in her custody she received in-home assistance, including visits from nurses. The evidence showed that M.O.T. had a serious kidney condition that required constant monitoring, but that respondent failed to secure necessary medical care for the child. The trial court did not clearly err in finding that respondent's parental rights should be terminated on the ground that it was reasonably likely that the children would be harmed if returned to respondent's custody, MCL 712A.19b(3)(j). 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/ Donald S. Owens  
/s/ William B. Murphy  
/s/ Mark J. Cavanagh

---

<sup>2</sup> The trial court's decision is effectively moot with respect to J.K.P. because the child died on December 6, 2001. However, clear and convincing evidence supported the trial court's decision at the time that it was made.