

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MONICA LA'SHE MONIQUE,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MONIQUE LA-SHON WALKER,

Respondent-Appellant,

and

GREGORY MILES, a/k/a GREGORY MYLES,

Respondent.

UNPUBLISHED

January 6, 2004

No. 247299

Wayne Circuit Court

Family Division

LC No. 02-411194

Before: Donofrio, P.J., and Griffin and Jansen, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(b)(i) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not clearly err in determining that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence showed that respondent-appellant inflicted serious injury to the six-year-old minor child with a glass object and caused her to drink laundry detergent in accord with audible hallucinations telling her to kill herself and the child. This occurred despite respondent-appellant's appropriate parenting of the minor child under close supervision of a therapist for the past several years, whom respondent-appellant saw two days prior to the incident. Given the fact that respondent-appellant's monitoring was based on self-reporting and observation of her behavior, which had not served to prevent this incident, and the fact that any future injury to the minor child may be life threatening given the command to kill her, the trial court did not clearly err in determining that the evidence was clear and

convincing that the minor child was reasonably likely to be harmed in the foreseeable future if returned to respondent-appellant.

Further, the trial court did not err in finding that termination was in the minor child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The evidence showed that not even close monitoring could safeguard the minor child in respondent-appellant's care, and that the minor child was living with her great-grandmother. The love and bond between the child and respondent-appellant was evident, but the minor child was entitled to grow up in a safe home free from the danger of infliction of serious injury by her parent. The evidence showed that termination of respondent-appellant's parental rights was not clearly contrary to the minor child's best interests.

Affirmed.

/s/ Pat M. Donofrio
/s/ Richard Allen Griffin
/s/ Kathleen Jansen