

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KIMBERLY PRANSCH, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MISHELLE REDD,

Respondent-Appellant,

and

LYLE PRANSCH,

Respondent.

UNPUBLISHED

June 17, 2004

No. 252614

Wayne Circuit Court

Family Division

LC No. 98-373401

Before: Sawyer, P.J., and Gage and Owens, JJ.

MEMORANDUM.

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

This is the second time respondent-appellant has appealed an order terminating her parental rights to this Court. The first appeal involved an order terminating respondent-appellant's parental rights to three older children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirmed the termination of respondent-appellant's parental rights in that case. *In re Trudell*, unpublished memorandum opinion of the Court of Appeals, issued January 8, 2004 (Docket Nos. 246877 and Docket 246908).

Although her appellate arguments in this case are often confusing, it appears that respondent-appellant challenges only the trial court's finding that clear and convincing evidence established the statutory ground set forth in MCL 712A.19b(3)(j). We review the trial court's decision to terminate parental rights for clear error. MCR 3.977(J); *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999). A review of the record shows that clear and convincing evidence was presented that established the likelihood of harm to the child if returned to the home of respondent-appellant. A Child for Clinic Study report found that there had been no

improvement since the prior termination in respondent-appellant's insight of the circumstances that led to that termination. This lack of improvement raises concern that respondent-appellant would repeat her neglectful and unsafe parenting practices of the past. In addition, respondent-appellant did not have independent housing and did not have employment. Therefore, termination was properly based on subsection 19b(3)(j). It was not disputed that respondent-appellant's parental rights to three other children were previously terminated, and therefore termination was also proper under subsection 19b(3)(1).

Furthermore, the trial court did not clearly err in finding that termination of respondent-appellant's parental rights was not contrary to the child's best interests. *In re Trejo Minors*, 462 Mich 341, 353-354, 356-357; 612 NW2d 407 (2000). Because of the high probability that respondent-appellant had not changed her past parenting patterns of neglect, the minor child was at a high risk of harm. Thus, termination was not contrary to the child's best interests.

Affirmed.

/s/ David H. Sawyer

/s/ Hilda R. Gage

/s/ Donald S. Owens