

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of GENIKA BROWN, GEMEL
BROWN, and LAKREISHA JOHNSON, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

LARNELL JOHNSON,

Respondent-Appellant.

UNPUBLISHED

November 22, 2005

No. 262665

Wayne Circuit Court

Family Division

LC No. 04-433266-NA

Before: Smolenski, P.J., and Schuette and Borrello, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating his parental rights to the minor child, Lakreisha Johnson, under MCL 712A.19b(3)(b)(i), (g), (j), and (k)(ii). We affirm.

The trial court did not clearly err in determining that statutory grounds for termination of parental rights were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent pleaded no contest to allegations that he had sexually molested his stepdaughter, Genika, for six years. Termination was based not only on respondent's plea and conclusions made in the subsequent Clinic for Child Study, but also on legally admissible evidence consisting of Genika's medical report and witness statement, in which she unequivocally stated that respondent had molested her from age ten to sixteen.

The evidence was sufficient to terminate respondent's parental rights under MCL 712A.19b(3)(b)(i), (g), and (j), even though respondent denied sexually abusing Genika. The evidence showed that respondent began molesting Genika, who was his step-daughter, when she was ten years old and continued to molest her until she was sixteen years old. Respondent told the protective services worker that he engaged in sexual acts with Genika because she had seduced him. Respondent's conduct and failure to appreciate the severity of his actions revealed his lack of insight, failure to take responsibility, and serious impairment of judgment. Given respondent's character, it was reasonably likely that his biological daughter would also have been at risk of sexual abuse if she remained in respondent's home. Respondent failed to provide Lakreisha with proper care or custody, upset her home, caused her temporary wardship and separation from her mother, and caused her to require therapy. His impairment of judgment

showed that there was no reasonable expectation that he could provide proper care or custody for her within a reasonable time. Furthermore, in light of the evidence on the whole record, termination of respondent's parental rights was clearly in Lakreisha's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 350; 612 NW2d 407 (2000). Therefore, the trial court did not err in terminating respondent's parental rights.

Affirmed.

/s/ Micheal R. Smolenski

/s/ Bill Schuette

/s/ Stephen L. Borrello