

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of ERNESTO FLORES and EMILIO  
FLORES, Minors.

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DEPARTMENT OF HUMAN SERVICES, f/k/a  
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED  
December 27, 2005

Petitioner-Appellee,

v

ERNESTO FLORES-LEMON,

Respondent-Appellant.

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No. 263086  
Wayne Circuit Court  
Family Division  
LC No. 04-434767-NA

Before: Owens, P.J., Saad and Fort Hood, JJ.

MEMORANDUM.

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

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich331; 337; 445 NW2d 161 (1989). Five-month-old Ernesto suffered a life-threatening injury that required emergency surgery, an acute subdural hematoma, a blood clot that was on the surface of the brain and beneath the skull. Contrary to respondent's assertions, the expert testimony indicated the injuries suffered by the infant were the result of non-accidental severe trauma. The infant was in respondent's sole custody and control at the time of the injury. Under these facts, the court did not clearly err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Donald S. Owens  
/s/ Henry William Saad  
/s/ Karen M. Fort Hood