

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SHANIQUE JOY TRAPP, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ARLENE LYNN GILLIS,

Respondent-Appellant,

and

STEVIE DEWITT TRAPP,

Respondent.

UNPUBLISHED

December 20, 2007

No. 279043

Saginaw Circuit Court

Family Division

LC No. 07-030922-NA

Before: Murray, P.J., and Hoekstra and Wilder, JJ.

MEMORANDUM.

Respondent Arlene Lynn Gillis appeals as of right from an order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(b)(ii), (g), and (j). We affirm.

The trial court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The child was sexually abused by Jamie Trumble when she was five or six years old. At the time of the abuse, respondent and the child lived with the Trumble family, but afterward they moved out of the Trumble home and into a home on Chapin Street. Later, when Trumble came to live at the same home on Chapin Street, respondent knew that he had just been released on bond, having been charged with criminal sexual conduct related to other children. Nonetheless, she continued to reside in the home with the child, giving Trumble the opportunity to continue his abuse. Although respondent testified that the child was never left unsupervised or alone with Trumble, the 12-year-old child testified that Trumble groped her no less than 16 times. When questioned why they continued to live in the house, respondent contended that she was without the means to move out. She did not take any affirmative steps to find alternative housing or income until after the first termination hearing, although she had been admonished at the beginning of the case that the first step toward reuniting with her daughter would be moving out of the Chapin Street home.

Even more troubling was respondent's testimony that she believed the child lied about the extent of the abuse. Although she acknowledged that something may have happened, she was clearly not concerned enough to take any steps to remove the child from the home. Instead, her concern was with her relationship with the occupants of the Chapin Street home. Even after she heard that the adults in the home had told the child that she was a liar and responsible for all of the court proceedings, respondent seemed more concerned with seeking their forgiveness than in protecting the child.

Having found the statutory grounds for termination proven by clear and convincing evidence, the trial court was obligated to terminate respondent's parental rights unless it appeared, on the whole record, that termination was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although the child expressed a desire to stay with her mother, respondent did not consider her child a priority and failed to protect her from a known sexual predator. The child was entitled to security and stability.

Affirmed.

/s/ Christopher M. Murray

/s/ Joel P. Hoekstra

/s/ Kurtis T. Wilder