

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DANIEL HERNANDEZ, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JOSE HERNANDEZ-CASTILLO,

Respondent-Appellant,

and

MICHELLE HERNANDEZ and JOSE VASQUEZ,

Respondents.

In the Matter of JOSLYNN VAZQUEZ, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MICHELLE HERNANDEZ,

Respondent-Appellant,

and

JOSE HERNANDEZ-CASTILLO and JOSE
VASQUEZ,

Respondents.

UNPUBLISHED

March 13, 2008

No. 279373

Kent Circuit Court

Family Division

LC No. 06-051051-NA

No. 279486

Kent Circuit Court

Family Division

LC No. 04-051423-NA

In the Matter of DANIEL HERNANDEZ, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MICHELLE HERNANDEZ,

Respondent-Appellant,

and

JOSE HERNANDEZ-CASTILLO and JOSE
VASQUEZ,

Respondents.

No. 279487
Kent Circuit Court
Family Division
LC No. 06-051051-NA

Before: Fitzgerald, P.J., and Smolenski and Beckering, JJ.

PER CURIAM.

In these consolidated appeals, respondents Jose Hernandez-Castillo and Michelle Hernandez appeal as of right from the trial court's order terminating their parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence with respect to both respondents. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). The evidence established that respondents were involved in a chaotic and volatile relationship that was marked by violence and conflict. Respondent Hernandez made numerous allegations of domestic violence and criminal conduct against respondent Hernandez-Castillo. But her accounts of these incidents were often inconsistent and in several instances she later recanted the allegations. Both respondents continued to associate with each other despite the issuance of no-contact and personal protection orders prohibiting their contact. The evidence clearly established that respondents' volatile relationship and continued association was harmful to the children. Although Hernandez and Hernandez-Castillo were divorced by the time of the termination hearing, Hernandez indicated that she felt that petitioner forced her to proceed with the divorce proceedings. Additional evidence established that respondents were still involved in a relationship and that Hernandez was pregnant with Hernandez-Castillo's child. The evidence also established that Hernandez-Castillo made threatening remarks to his child during supervised visits and was unable to demonstrate proper discipline methods. Hernandez repeatedly ignored one of her children during visits.

Further, the evidence did not clearly show that termination of respondents' parental rights was not in the children's best interests. MCL 712A.19b(5), *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ E. Thomas Fitzgerald
/s/ Michael R. Smolenski
/s/ Jane M. Beckering