

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JULIAN TOU SENG CHANG
and NOLAN CHER CHOU CHANG, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TANG YANG,

Respondent-Appellant,

and

JASON NHIA CHANG,

Respondent.

UNPUBLISHED

April 3, 2008

No. 280977

Oakland Circuit Court

Family Division

LC No. 07-731317-NA

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and NOLAN CHER CHOU CHANG, Minors.

DEPARTMENT OF HUMAN SERVICES,

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v

TANG YANG,

Respondent,

and

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Respondent-Appellant.

No. 280978

Oakland Circuit Court

Family Division

LC No. 07-731317-NA

Before: Kelly, P.J., and Owens and Schuette, JJ.

MEMORANDUM.

Respondents appeal as of right from a circuit court order terminating their parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(i), (g), (j), and (k). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondents do not contest the trial court's findings regarding jurisdiction or the statutory bases for termination. They contend only that the trial court erred in finding that termination was not clearly contrary to the children's best interests. See MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). We disagree.

The evidence showed that respondents' newborn infant was subjected to horrific abuse over a period of time. He had both healing fractures and fresh injuries. Respondent Yang previously noticed bruises on her son and ignored them. Respondent Chang was alone with Nolan immediately before he stopped breathing and became unresponsive. Respondents were not able to offer a logical explanation for Nolan's condition, and medical evidence indicated that the injuries were intentionally inflicted, yet respondents steadfastly denied that anyone had abused the child. Absent any other legitimate explanation for the child's injuries, the injuries themselves were a strong indication of abuse by respondents. *In re Martin*, 167 Mich App 715, 731; 423 NW2d 327 (1988). Considering that respondents caused or failed to protect their son from prolonged serious abuse and expressed no intent to change anything in the environment in which Nolan was injured, the trial court's best interest findings were not clearly erroneous. *In re Trejo, supra* at 356. The evidence did not clearly show that termination of respondents' parental rights was not in the children's best interests.

Affirmed.

/s/Kirsten Frank Kelly
/s/ Donald S. Owens
/s/ Bill Schuette