

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of KEVIUS LOVELL COOPER, JR.,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

EVONE LASHAWN LONG,

Respondent-Appellant,

and

KEVIUS LOVELL COOPER,

Respondent.

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UNPUBLISHED

July 24, 2008

No. 282327

Saginaw Circuit Court

Family Division

LC No. 06-030590-NA

Before: Saad, C.J., and Fort Hood and Borrello, JJ.

MEMORANDUM.

Respondent Evone Lashawn Long claims an appeal as of right from the trial court's order terminating her parental rights to the minor child, Kevius Lovell Cooper, Jr.,<sup>1</sup> pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

Respondent has given birth to four children. Five-month-old Edreana died in 2006 from positional asphyxiation while in the care of her father, Edward Taylor, Sr. Three months later, another child left in Taylor's care, two-year-old Edward Jr., was severely burned by hot water. The medical examiner that performed the autopsy on Edreana concluded that the infant did not die under the circumstances described by Taylor. Similarly, the two treating physicians that

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<sup>1</sup> Although it appears from the record that the lower court terminated respondent's parental rights to all three of her children, the order that respondent has appealed provides only for the termination of her parental rights to her oldest son, Kevius Jr. Therefore, this appeal is limited to the order terminating respondent's parental rights to that child.

cared for Edward Jr. concluded that his burns were not the result of an accidental occurrence as described by Taylor. After these tragic events, Taylor was charged with child abuse, and the children were removed from respondent's care.

There was clear and convincing evidence to support termination of respondent's parental rights pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). MCR 3.977; *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The condition that caused the children to come into care was respondent's inability to provide proper care and custody of them because of her cognitive limitations. During these proceedings, respondent was evaluated as mildly mentally retarded. The evaluating psychologist, treating therapist, and foster care worker all concluded that respondent did not have the capacity to safely and independently parent her children. She lacked insight and foresight into their needs. Because respondent could not recognize the needs of her children, they were at risk of being harmed in her care. Under these circumstances, we conclude that the trial court did not err when it terminated respondent's parental rights pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).

Furthermore, there was no evidence that, despite statutory grounds for termination, termination of parental rights would not be in the children's best interests. Indeed, the evidence clearly demonstrated that the children would be at risk of serious injury if returned to respondent's care.

Affirmed.

/s/ Henry William Saad  
/s/ Karen M. Fort Hood  
/s/ Stephen L. Borrello