

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ARALYN BATTICE and
JAIDAH BATTICE, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MATTHEW BATTICE,

Respondent-Appellant.

UNPUBLISHED

August 27, 2009

No. 291522

Mason Circuit Court

Family Division

LC No. 07-000133-NA

Before: M. J. Kelly, P.J., and K. F. Kelly and Shapiro, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(g) and (j). We affirm.¹

Respondent argues that the trial court clearly erred in finding that the statutory grounds for termination were proven by clear and convincing evidence. Specifically, respondent contends he substantially complied with his treatment plan. We disagree. Contrary to respondent's contention, the record reveals that he failed to make any substantial progress with services. He delayed engaging in counseling and then attended only half the sessions, he failed to meet with the parenting educator on a regular basis, and he failed to attend family visits on a regular basis. This same lack of consistency and follow-through prevented respondent from maintaining steady employment and a stable home. Due to his failure to invest himself in services, respondent never demonstrated an ability to provide a safe, stable home for the children on a long-term basis. Given the foregoing, clear and convincing evidence supports the listed statutory grounds for termination. See MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000).

¹ This appeal has been decided without oral argument pursuant to MCR 7.214(E).

Further, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5). Accordingly, we conclude that the trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Michael J. Kelly
/s/ Kirsten Frank Kelly
/s/ Douglas B. Shapiro