

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DOMINIC PARISE, DONOVON
PARISE, and DEVIN JAMES PARISE, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DOMINIC PARISE,

Respondent-Appellant.

UNPUBLISHED

September 24, 2009

No. 291089

Oakland Circuit Court

Family Division

LC No. 08-748185-NA

Before: Murphy, P.J., and Meter and Beckering, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court's order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(i), (g), (j), and (k)(ii). We affirm. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re JK*, 468 Mich 202, 209; 661 NW2d 216 (2003). Respondent repeatedly sexually assaulted the children's stepsister, who testified that she was impregnated by respondent when she was only 13 years old and who later gave birth to respondent's child.¹ Respondent's treatment of his stepdaughter is probative of how he might treat his own children. *In re AH*, 245 Mich App 77, 84; 627 NW2d 33 (2001); see also *In re Jenks*, 281 Mich App 514, 517-518; 760 NW2d 297 (2008). Moreover, the evidence indicated that respondent refused to participate in therapy. The evidence supported the trial court's determination that termination was warranted under §§ 19b(3)(b)(i), (g), (j), and (k)(ii).

Further, considering the serious and ongoing emotional harm to respondent's children due to respondent's conduct, respondent's refusal to participate in therapy despite his risk of

¹ Respondent was later convicted of third-degree criminal sexual conduct and sentenced to a prison term of 40 to 180 months.

reoffending, and the evidence that respondent was unable to function effectively as a parent or serve as an appropriate role model for his children, the trial court did not clearly err in finding that termination of his parental rights was in the children's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 356-357.

Affirmed.

/s/ William B. Murphy

/s/ Patrick M. Meter

/s/ Jane M. Beckering