

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SAMANTHA PRYS and ASHLEY
PRYS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TIMOTHY S. PRYS,

Respondent-Appellant,

and

SARAH PRYS,

Respondent.

UNPUBLISHED

December 15, 1998

No. 207126

Kent Juvenile Court

LC No. 95-000378 NA

Before: Griffin, P.J, and Neff and Bandstra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a juvenile court order terminating his parental rights to the minor children under MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g) (the parent, without regard to intent, fails to provide proper care for the child and there is no reasonable expectation that the parent will be able to provide care within a reasonable time). We affirm.

The juvenile court did not clearly err in finding that this statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Although the record shows that respondent-appellant attended more parenting classes than was required and faithfully attended visitation with the children, the record also reveals that respondent-appellant failed to prepare himself to provide a proper home for the children. Based on the record, respondent-appellant had emotional problems that interfered with his ability to deal adequately

with stress, with relationships, and with the daily problems required of a parent. Although respondent-appellant's most recent counselor, Robin Woolley, believed that respondent-appellant had made progress and that there was no evidence that respondent-appellant could not be a parent, Woolley was not aware that the children had some special needs and had exhibited behavioral problems. Nor was Woolley aware that, after being caught stealing from one employer, respondent-appellant was discovered stealing from his next employer. Respondent-appellant's testimony about not knowing what he signed and the other contradictory statements that he provided under oath made it clear that, not only was respondent-appellant not credible, but he did not take responsibility for his actions. There was other evidence of respondent-appellant's immaturity and failure to accept responsibility. He fails to pay rent or utilities at his parents' home where he lives. Respondent-appellant had moved his pregnant girlfriend into his parents' home; she gave birth to his third child just as this case was coming to a crucial decision-making hearing. It is clear that respondent-appellant continues to show a lack of maturity and poor judgment. Further, respondent-appellant failed to show that termination of his parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the juvenile court did not err in terminating respondent-appellant's parental rights to the children.

We affirm.

/s/ Richard Allen Griffin

/s/ Janet T. Neff

/s/ Richard A. Bandstra