

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DEMETRISE STOKES, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LATOYA BOYD,

Respondent-Appellant,

and

TIMOTHY STOKES,

Respondent.

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UNPUBLISHED

March 1, 2002

No. 235765

Calhoun Circuit Court

Juvenile Division

LC No. 01-000063-NA

Before: Jansen, P.J., and Zahra and Meter, JJ.

MEMORANDUM.

Respondent-appellant, Latoya Boyd, appeals by leave granted an order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(b)(ii), (g), and (j). We affirm.

The juvenile court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 455 NW2d 161 (1989). The evidence indicated that Demetrise suffered several cigarette burns on his buttocks and one inside his anus. The emergency room doctor who treated Demetrise also observed several healed burn marks on Demetrise's buttocks and abrasions on both shoulders. Respondent Timothy Stokes claimed the most recent burns were caused when he accidentally dropped his cigarette. Respondent-appellant's mother testified below that Demetrise suffered abuse at the hands of Stokes on a prior occasion and that respondent-appellant was aware of the prior abuse. It is undisputed that the most recent injuries were inflicted when respondent-appellant allowed Stokes to be alone with Demetrise. It is also undisputed that Stokes told respondent-appellant of the burns soon after they occurred, but respondent-appellant did not get Demetrise proper medical attention until the next evening. Despite the injuries to Demetrise, respondent-appellant has indicated an unequivocal desire to maintain a relationship with Stokes.

On appeal, respondent-appellant argues that she was not provided adequate services prior to termination. A parent is not entitled to services prior to termination of their parental rights. See MCR 5.974(D) (providing that termination is possible at the initial dispositional hearing); see also MCL 712A.18f. Respondent-appellant underwent a court-ordered psychiatric evaluation. The psychologist opined respondent-appellant would require two years of treatment before she could be considered for placement. Even then, the psychologist's prognosis for respondent-appellant was merely "fair." The FIA caseworker agreed with the psychologist's two-year timeframe. Under the circumstances of this case, where the evidence supports the findings that respondent-appellant knew of the dangers Stokes presented to Demetrise, continued to expose Demetrise to further abuse by Stokes, failed to get Demetrise prompt medical attention, and indicated a clear desire to maintain a relationship with Stokes, the court did not clearly err in finding termination was warranted. The decision not to provide lengthy services to respondent-appellant does not alter that conclusion.

Furthermore, there is not clear and convincing evidence, on the whole record, suggesting that termination was not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354, 364-365; 612 NW2d 407 (2000). Accordingly, the juvenile court did not clearly err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Kathleen Jansen  
/s/ Brian K. Zahra  
/s/ Patrick M. Meter