

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of D.T., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MARIETTA PAYTON,

Respondent-Appellant,

and

JERMAINE THORNTON,

Respondent.

In the Matter of D.T., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JERMAINE THORNTON,

Respondent-Appellant,

and

MARIETTA PAYTON,

Respondent.

Before: Owens, P.J., and Murphy and Cavanagh, JJ.

UNPUBLISHED
December 13, 2002

No. 238886
Genesee Circuit Court
Family Division
LC No. 00-113383

No. 240069
Genesee Circuit Court
Family Division
LC No. 00-113383

MEMORANDUM.

Respondents appeal as of right from the family court order terminating their parental rights to the minor child under MCL 712A.19b(3)(b)(ii), (b)(iii), and (k)(iii). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Two-month-old D.T. was taken to the hospital with severe injuries consistent with shaken baby syndrome. The child also had multiple old and new rib fractures. D.T. had been in respondents' primary care, and the explanations they offered did not explain the child's injuries. Further, the evidence did not show that termination of respondents' parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus the trial court did not err in terminating respondents' parental rights to the child. Given the uncertain origin of the child's injuries, the court also did not clearly err in refusing to place the child with relatives.

Affirmed.

/s/ Donald S. Owens
/s/ William B. Murphy
/s/ Mark J. Cavanagh