

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JAMES WESLY TRUDELL, JR.,
RIENA BERNICE TRUDELL, and JASMINE
MARIE TRUDELL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES WESLY TRUDELL,

Respondent-Appellant,

and

MISHELLE LYNN REDD,

Respondent.

In the Matter of JAMES WESLY TRUDELL,
JR., RIENA BERNICE TRUDELL, and
JASMINE MARIE TRUDELL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MISHELLE LYNN REDD,

Respondent-Appellant,

and

UNPUBLISHED
January 8, 2004

No. 246877
Wayne Circuit Court
Family Division
LC No. 98-373401

No. 246908
Wayne Circuit Court
Family Division
LC No. 98-373401

JAMES WESLY TRUDELL,

Respondent.

Before: Donofrio, P.J., and Griffin and Jansen, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the order terminating their parental rights to the minor children under MCL 712A.19b(3)(g) and (j). We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not clearly err in finding clear and convincing evidence to establish the statutory grounds for termination. MCR 5.974(I), now MCR 3.977(J); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000); *In re King*, 186 Mich App 458, 464; 465 NW2d 1 (1990). The evidence revealed that the minor children were filthy and had lice, pinworms, and numerous insect bites. The speech, language, and social skills of the two older children were delayed, and they exhibited severe behavior problems such as head-banging and smearing of feces. The home was in deplorable condition, with urine-stained mattresses, standing water in the bathroom, dirty dishes encrusted with old food, and trash and bags of clothes throughout. In 1998, the children were removed from respondents' custody for similar reasons, and an order of disposition found neglect by respondents. Although respondent mother eventually regained custody in October 2000, respondent father was limited to supervised visitations because of domestic violence, failure to complete a parent agency agreement, and other concerns. Clearly, the same or similar conditions that necessitated foster care in 1998 resurfaced in 2002, and were not likely to be corrected sufficiently to assure the children proper care and custody and to keep them safe from harm.

Further, the evidence failed to show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *Trejo, supra* at 356-357. While the children were bonded with their parents, the evidence showed that they had been damaged by the parental neglect. The children need a safe, stable, secure environment, which neither parent can provide.

Affirmed.

/s/ Pat M. Donofrio
/s/ Richard Allen Griffin
/s/ Kathleen Jansen