

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KEWONTAE ALEEM
NATHANIEL WIGGINS, DIAMOND ISIS
WIGGINS, and SHAKIRA MARIAH WIGGINS,
Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
December 22, 2005

Petitioner-Appellee,

v

BASHEBA DOWDELL,

Respondent-Appellant.

No. 264278
Wayne Circuit Court
Family Division
LC No. 05-438766-NA

Before: Owens, P.J., and Saad and Fort Hood, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(i), (g), (j), and (k)(iii). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in determining that the statutory grounds for termination of parental rights were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence showed that eleven-month-old Diamond suffered a head wound in which gangrene had set in and three fractures to her left arm. Respondent offered no explanation for the injuries other than that they were self-inflicted by Diamond as a result of pulling out her own hair and sustained while playing. Respondent asserted that she was the children's only caretaker and never accepted responsibility for Diamond's abuse or alleged that a third party caused Diamond's injuries.

The evidence showed that respondent battered Diamond, wounding her head and inflicting multiple fractures to her arm, was oblivious to or ignored the severe pain caused by Diamond's fractures, and delayed treatment of her head wound until the tissue, muscles and hair follicles of her skull were irreparably damaged and gangrene had set in. Clearly, respondent failed to provide Diamond with proper care or custody. Respondent steadfastly refused to accept responsibility for Diamond's injuries, and therefore, there was no reasonable expectation that she

would be able to provide proper care or custody for Diamond within a reasonable time. It was likely that Diamond would suffer additional harm if returned to respondent.

How a parent treats one child is indicative of how a parent might treat another, and therefore the trial court correctly terminated respondent's parental rights to all three children based on respondent's abuse of Diamond. *In re Powers*, 208 Mich App 582, 588-589; 528 NW2d 799 (1995).

Affirmed.

/s/ Donald S. Owens
/s/ Henry William Saad
/s/ Karen M. Fort Hood