

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KEIONNA HATTEN, Minor.

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

UNPUBLISHED
December 19, 2006

Petitioner-Appellee,

v

WILLIAM HATTEN,

Respondent-Appellant.

No. 270742
Wayne Circuit Court
Family Division
LC No. 05-443500-NA

Before: Murphy, P.J., and Smolenski and Kelly, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(b)(i) and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Sours*, 459 Mich 624, 632-633; 593 NW2d 520 (1999). Less than a year earlier, respondent deliberately injured the child's 22-month-old half-sibling and caused a subdural hemorrhage.¹ Although respondent claims that there was no evidence that he injured his own child, who was taken into care shortly after her birth, § 19b(3)(b)(i) applies where the abuse is inflicted on a sibling of the child. Moreover, "[h]ow a parent treats one child is certainly probative of how that parent may treat other children." *In re AH*, 245 Mich App 77, 84; 627 NW2d 33 (2001), quoting *In re LaFlure*, 48 Mich App 377, 392; 210 NW2d 482 (1973). Respondent's treatment of the child's half-sibling showed that there was a reasonable likelihood of harm to respondent's child.

The trial court did not clearly err in its analysis of the child's best interests. If the court determines that a statutory ground for termination has been established, the court must terminate parental rights unless there exists clear evidence, on the whole record, that termination is not in

¹ The severity of the injury is indicated by the classification of a subdural hemorrhage as "serious physical harm" for purposes of the criminal statutes relating to child abuse. MCL 750.136b(1)(f).

the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). In this case, there was no evidence suggesting that termination of respondent's parental rights was not in the child's best interests. The trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ William B. Murphy
/s/ Michael R. Smolenski
/s/ Kirsten Frank Kelly