

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of ELIJAH HOLMES, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CHERIE PROHASKA,

Respondent-Appellant.

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UNPUBLISHED

August 21, 2008

No. 284382

Muskegon Circuit Court

Family Division

LC No. 07-036692-NA

Before: Cavanagh, P.J., and Jansen and Kelly, JJ.

MEMORANDUM.

Respondent appeals by right the family court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g) and (m). We affirm. This appeal has been decided without oral argument. MCR 7.214(E).

Respondent concedes that the family court properly found a statutory basis for termination. Her sole argument on appeal is that termination was contrary to the child's best interests. We disagree.

The child's sibling came into care at a very young age because his father, Daniel Holmes, broke his arm. In addition to the broken arm, a medical examination disclosed multiple rib fractures, some of which were healing, and other bruises and abrasions. Respondent denied any knowledge of abuse and claimed throughout these proceedings not to have noticed any signs of injury on the minor child's sibling. After being informed that Holmes had broken the sibling's arm, respondent remained with Holmes and they immediately began trying to conceive another child. Respondent did nothing to prepare herself for becoming a parent to the child at issue in this case, Elijah, because she did not believe that she required any assistance. She began seeking services only to forestall termination of her parental rights. She could not explain what she hoped to achieve by her participation in these child protective proceedings, apart from severing her relationship with Holmes, who was already incarcerated. While there was evidence that respondent might learn to become a suitable caretaker if she participated in services for an appreciable period of time, her psychological evaluation indicated that her prognosis for meaningful improvement was poor. More significantly, the child was not bonded with respondent and respondent expressed little or no love and affection for her son. Under the circumstances, the evidence did not show that termination was clearly contrary to the child's best

interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). The family court did not err by terminating respondent's parental rights to the child. *Id.* at 356-357.

Affirmed.

/s/ Mark J. Cavanagh  
/s/ Kathleen Jansen  
/s/ Kirsten Frank Kelly