

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRETTON LEE HENDERSON
and BRIONA LYNN HENDERSON, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TONIESHA BAUMAN,

Respondent-Appellant,

and

SHANE HENDERSON and RICKY JAMES,

Respondents.

UNPUBLISHED

March 10, 2009

No. 287066

St. Joseph Circuit Court

Family Division

LC No. 2007-000373-NA

Before: Murphy, P.J., and Fitzgerald and Markey, JJ.

MEMORANDUM.

Respondent Toniesha Bauman appeals as of right from the trial court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(g) and (j).¹ 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 3.977(J); *In re Trejo*, 462 Mich 341, 351; 612 NW2d 407 (2000); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). Respondent struggled with violence and bad relationships, and her older child was severely traumatized by violence he had witnessed as an infant. Despite receiving intensive services, respondent continued to have difficulty controlling her frustration and impulsivity, and was not consistently able to demonstrate appropriate parenting skills, or that she would be able to keep the children safe or place their emotional needs above her own.

¹ Contrary to what respondent asserts, the trial court expressly determined that termination was not warranted under § 19b(3)(c)(i).

Further, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 356-356. The older child was diagnosed with post-traumatic stress disorder because of the trauma he experienced while in respondent's custody and had frequent tantrums during visits with respondent, but showed improvement when visits were ended. The younger child had been in foster care since she was approximately five weeks old. The children needed safety, consistency, and security, which respondent would not be able to provide within a reasonable time.

Affirmed.

/s/ William B. Murphy
/s/ E. Thomas Fitzgerald
/s/ Jane E. Markey