

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of AMARIA ALICIA YVONNE
YOUNGBLOOD-JACKSON, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JOHNNY ONTARIO YOUNGBLOOD,

Respondent-Appellant.

UNPUBLISHED

July 14, 2009

No. 290363

Ingham Circuit Court

Family Division

LC No. 05-002693-NA

Before: Meter, P.J., and Murray and Beckering, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court did not clearly err when it found that the statutory grounds for termination of respondent's parental rights were established by clear and convincing evidence. MCR 3.977(J) (stating that termination decisions are reviewed for clear error); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). Respondent allowed the child to remain with her mother, who was not a fit custodian. Once located, respondent did not take an active interest in taking custody of the child until the mother's parental rights were terminated. When granted custody of the child, respondent was unable to provide a suitable, sanitary environment and the child had to be returned to foster care. Respondent's kitchen counters were covered with dishes, there were garbage bags overflowing with food and swarming with flies, and there was spoiled food in the refrigerator, which was not working. The home had a strong odor, there was debris on the floor, and the child was sleeping on a mattress pad spread over pieces of a broken futon. Respondent refused to cooperate with recommended service providers because they shared information with petitioner, refused to grant releases for the records of service providers of his choice, and was not compliant with several aspects of his case service plan. At the time of the permanent wardship hearing, respondent remained unable to provide stable, suitable housing, and there was no reasonable expectation that he would be able to provide proper care and custody within a reasonable time considering the child's age.

Further, the trial court did not clearly err when it found that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5) (requiring a finding that

termination is in the child's best interests). Respondent performed poorly when given the opportunity to parent the child, was easily distracted during his supervised parenting time by talking on his two cell phones, and took pictures of the child, telling her to "say hi to mom." The trial court determined that "mom" was the child's mother, whose parental rights had been terminated. Respondent refused to comply with services for reunification and displayed a general disrespect for women during the protective proceedings, which attitude is clearly not in the best interests of the minor female child. The child is deserving of stable, suitable living conditions and permanency. Thus, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Patrick M. Meter
/s/ Christopher M. Murray
/s/ Jane M. Beckering