



**Fourth Court of Appeals  
San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-16-00564-CV

**IN THE INTEREST OF D.J.C., a Child**

From the 218th Judicial District Court, Frio County, Texas  
Trial Court No. 15-04-00144CVF  
Honorable Melissa Uram-Degerolami, Judge Presiding

Opinion by: Karen Angelini, Justice

Sitting: Karen Angelini, Justice  
Rebeca C. Martinez, Justice  
Jason Pulliam, Justice

Delivered and Filed: December 21, 2016

**AFFIRMED**

Appellant Vanessa R. appeals the trial court's order terminating her parental rights to her son D.J.C.<sup>1</sup> Vanessa R. argues the evidence is legally and factually insufficient to support the trial court's findings that (1) she knowingly placed or knowingly allowed D.J.C. to remain in conditions or surroundings that endangered his physical or emotional well-being; (2) she engaged in conduct or knowingly placed D.J.C. with persons who engaged in conduct that endangered the child's physical or emotion well-being; and (3) termination of Vanessa R.'s parental rights was in D.J.C.'s best interest. We affirm the trial court's termination order.

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<sup>1</sup> D.J.C. was born on April 16, 2014. The termination hearing commenced on August 26, 2016.

## BACKGROUND

Vanessa R. has four children, A.R., R.R., A.R., and D.J.C.<sup>2</sup> Robert R. is the father of R.R. and the younger A.R.,<sup>3</sup> another man is the father of the older A.R., and these three children live with Robert R. Michael C. is D.J.C.'s father. Only D.J.C. is the subject of this termination proceeding.<sup>4</sup> Vanessa R. and Michael C. shared a home in Pearsall, Texas, but later separated. Robert R. lived in San Antonio, Texas. At some point in time, Vanessa R. moved to San Antonio.

Joanne Martinez, an investigator with the Texas Department of Family and Protective Services ("the Department"), stated she first investigated Vanessa R. in May 2013 on a referral alleging domestic violence and drug use. At the time, the three older children were eleven, ten, and eight years old. Vanessa R. initially denied any domestic violence, but when Martinez told her the three children had made outcries, Vanessa R. said Michael C. hit her "accidentally" when she startled him by trying to wake him from his sleep. Martinez said Vanessa R., Michael C., and the three children all lived in a one-room efficiency apartment, and everyone slept in one bed. One of the children, R.R., "told [Martinez] you see that hole in the wall . . . that's where Michael slammed my mom's head on the wall." Martinez said the children also told her that they were afraid because they heard gunshots in the yard the night before, Michael C. had gotten into a fight with his cousin and Michael C. had blood on him, and they wanted to return to their father (Robert R.) who lived in San Antonio.

Martinez said she confronted Vanessa R. about her concerns that the children were exposed to sexual intimacy between her and Michael C. because they all slept in the same bed and Martinez

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<sup>2</sup> At the time of the termination hearing, A.R. was fourteen years old, R.R. was thirteen years old, A.R. was twelve years old, and D.J.C. was two years old.

<sup>3</sup> Robert R. is not the elder A.R.'s father although she has lived with him since infancy.

<sup>4</sup> An interlocutory order of termination was entered against Michael C. and made final for appellate purposes upon entry of the trial court's final Order of Termination. Michael C. is not a party to this appeal.

had noticed “a lot of hickies” on Vanessa R.’s neck. At first, Vanessa R. told Martinez she and Michael C. had not been intimate, but when asked about the hickies, she changed her story and said the children were at her mother’s house while she “spent time” with Michael C. Vanessa R. said her father was in prison on drug charges. Martinez testified she was concerned about the children visiting with their maternal grandmother because of the drug charges against their grandfather and allegations he sexually abused Vanessa R. and her sisters. Finally, one of the children told Martinez they were hungry and had eaten only a piece of bread with mayonnaise.

Martinez said the children were placed with Robert R. and his mother in San Antonio. When she went to visit them, one of the children told her he had found a shoebox under the table at their mother’s apartment, and it contained drugs and money. Martinez referred Vanessa R. to local services in Pearsall, but the case was eventually closed because the children remained with their father.

Nancy Velez, another investigator for the Department, testified she was assigned the case on December 2, 2014 on allegations of neglectful supervision and physical neglect. She saw D.J.C. in his crib at Vanessa R.’s home, and he had no bruises or scratches. Michael C. was living with his mother at the time. Velez said the original allegations were that Vanessa R. and Michael C. got into a physical altercation while Vanessa C. was holding D.J.C. Vanessa R. admitted Michael C. pushed her, but she said he did not hurt the baby. Vanessa R. told Velez Michael C. had once before hit and pushed her, and the couple had an “off and on” relationship for about three years. Vanessa R. admitted Michael C. was an angry and violent person. Velez said Michael C. denied hitting Vanessa R., although he admitted pushing her. Velez stated she later ruled out physical abuse of D.J.C., but validated the neglectful supervision of the child by Vanessa R. and Michael C. However, Velez believed the domestic violence between the couple was being minimized by the family, and the case was referred to Family Based Services. Vanessa R. was allowed to keep

D.J.C. on the condition that Michael C. not have access to the home or be allowed inside the home. However, there was no restriction placed on Vanessa R. being with Michael C.

Marilyn Guerra, who was Vanessa R.'s Family Based Safety Services ("FBSS") caseworker, testified her first contact with Vanessa R. was on February 20, 2015. During Guerra's visit with Vanessa R., Vanessa R. indicated she had a history with the Department regarding her three older children. She still saw the older children, but their father had custody. Vanessa R. understood she was referred to FBSS because of the incident involving being pushed while she was holding D.J.C., and she admitted there were "a lot of arguments in the household." Guerra said that when she received the case Vanessa R. was already engaged in counseling, and Guerra recommended parenting and anger management classes for both her and Michael C.

Guerra said she received a text message from Vanessa R. on March 30, 2015 at 8:21 p.m. asking what would happen if she [Vanessa R.] and D.J.C. left. Vanessa R. told Guerra that Michael C., who was not allowed in the house, was inside the house, and although the child was okay, she "was not fine." Guerra thought D.J.C. was about six months old at the time. Guerra and Vanessa R. continued to text until about 11:00 p.m. when Vanessa R. told Guerra she wanted to see her and that Guerra should bring the police. Guerra called the police, but she did not go to the house. By the time the police arrived, Michael C. was gone, and the police arrested Vanessa R. on an outstanding theft warrant. D.J.C. was placed with his maternal grandmother for the night.

The next day, Guerra visited Vanessa R. in jail. Vanessa R. explained that, the night before, she was getting ready to go out, and Michael C. was in her house. She and Michael C. got into an argument when she asked him to leave, and he followed her into her bedroom where he threw a soft drink in her face. She walked into the kitchen, grabbed a knife, followed Michael C. outside, and cut one of his tires. During this time, D.J.C. was inside the house alone. Guerra said D.J.C. would have been an infant at the time, and was vulnerable. Guerra did not believe the child was

safe in Vanessa R.'s household because Vanessa R. had violated the safety plan and endangered the child by allowing Michael C. in the house and leaving the child unattended while she went outside with a knife. Guerra testified that as early as February 20, she had told both Vanessa R. and Michael C. that, because the case was under the Department's supervision, they should not engage in fighting, arguing, hitting, or any other violation of the safety plan.

Pearsall Patrol Officer Nicholas Deleon, III, testified that, on March 30, 2015, Michael C. was not at Vanessa R.'s home when he arrived. He said Vanessa R. admitted there had been a disturbance that started inside the home and continued outside, where she punctured one of the tires on Michael C.'s vehicle. Officer Deleon said the inside of the house was "in disarray, obvious items on the floor, [and] furniture that . . . didn't look like it was in a normal manner." He said Vanessa R. was upset, but she did not express fear or the desire to obtain a protective order. Officer Deleon believed the incident endangered the child.

Ana Villalobos, a Department caseworker who has been involved with the case since April 2015 and created the family plan of service, stated the Department's concern was whether Vanessa R. could appropriately protect D.J.C. from domestic violence. She said the child, now two years old, had been in his current foster-to-adopt placement since late February 2016. Villalobos said that when D.J.C. sees his foster mother "he grabs her and hugs her and smells her." D.J.C.'s hair is growing long and he wants a "man bun just like foster dad[,] but [foster] mom did not allow it." D.J.C. enjoys playing with the two other foster children who live with the family, he has gained weight, and is speaking more. Villalobos said the foster home was safe with no history of domestic violence. Villalobos said D.J.C. is happy to see Vanessa R. and will hug her, but she believed the bond with the foster mother was stronger.

Villalobos said Vanessa R. told her she had been in a "very abusive relationship" with Robert R., to whom she is still married. According to Villalobos, Vanessa R. told her that once

she gets D.J.C. back, she and Robert R. will get back together. Villalobos told Vanessa R. that if she and Robert R. resumed a relationship, Robert R. would need to attend parenting classes, counseling, and address his past domestic violence issues. However, when the Department's case first began, Robert R. said he would not engage in any services because D.J.C. was not his child. As for Michael C., Villalobos said Vanessa R. was aware of his past drug use and his history of domestic violence.

Villalobos said Vanessa R. continued to rely on Robert R. financially, and she has not demonstrated long-term financial independence, which Villalobos believed was not safe for D.J.C. Villalobos testified that Vanessa R.'s moving to different homes and having different jobs also showed her inability to provide the child with a stable home. She did not believe Vanessa R. could protect D.J.C. from repeated exposure to violence because she has a long history of domestic violence. Villalobos said Vanessa R. "goes back to what she knows," she lied repeatedly about her relationship with Michael C., and she puts her own needs above the needs of her child. Villalobos stated that although Vanessa R. has engaged in her services, she has not learned anything with respect to protecting D.J.C. Villalobos believed Vanessa R.'s parental rights should be terminated because she had placed D.J.C. in danger more than once and she had not demonstrated any change in her behavior.

Villalobos testified Vanessa R. wanted D.J.C. placed with Robert R., but that was not possible because he had a criminal history, including an assault charge, and a history with the Department. She said Vanessa R. also indicated her cousin could take D.J.C., which Villalobos said was a possibility although the cousin still lived with her own parents.

Robert R. testified he and Vanessa R. had been married for fourteen years, but they were separated. He said he and Vanessa R. probably would not reunite, but he would assume

responsibility for D.J.C. if the child could not be with his mother. He believed Vanessa R. was more independent and capable of caring for D.J.C., and he believed Vanessa R. was stable.

Finally, Vanessa R. testified she currently lives in San Antonio. She denied the three older children's domestic violence allegation of May 2013, she contended she was not hit that day, and Michael C. had never hit her in front of the children. When asked how the children may have known about any domestic violence, Vanessa R. said Robert R. must have told the children about the violence because she always told Robert R. "if and when" Michael C. hit her. She also said the children never heard gunshots. Vanessa R. claimed to be unaware that her children found drugs and money in a shoebox. She said she met Michael C. in late 2012 or 2013 and, at the time, she did not know he had other children. Michael C. finally told her he had other children when he received a letter from the Department about a court hearing regarding allegations of child abuse and neglect against those children. She said he drank "a lot of beer."

Vanessa R. described the incident involving the knife as follows. She was with D.J.C. in the bedroom getting ready to go to work (she worked at night) when Michael C. entered the house unbeknownst to her. When he walked into the bedroom, she told him to leave and he threw a can of soda at her. She took D.J.C. into the living room where she texted Guerra to tell her Michael C. was in the house. She said she texted, rather than called, because Michael C. could be "really aggressive," and would break her phone if he saw her using it. On that night, Vanessa R. said Michael C. threw a diaper bag at the television, and D.J.C. was in the room at the time. Vanessa R. said she told Michael C. her case worker was coming to the house and, when he tried to leave, she went into the kitchen, leaving D.J.C. on the couch, and got a knife. She took the knife outside to puncture his tires because he had "a history of running from cops," and she wanted him to "get in trouble for what he had [done] to her."

Vanessa R. admitted she lied to the Department about being with Michael C. in violation of her safety plan. She also admitted she had called the police about domestic violence incidents involving Michael C. three or four times in the past, but she did not call the police on every occasion of violence. She said she had sought a protective order against Michael C. but was told her case was not strong enough to warrant such an order. She denied she and Michael C. were in a relationship and it was a coincidence that they both changed their Facebook profiles in February 2016 to show kisses and heart emoticons. Vanessa R. admitted to domestic violence in her relationship with Robert R. and that he had been arrested for assaulting her, but she denied that he ever abused her. Vanessa also admitted her father had a criminal history, including allegations of molesting Vanessa R. and her sisters. She agreed her father was not safe for the children.

Vanessa R. said her classes have taught her to stay away from people who hurt her in any way, she is not interested in having a relationship with anyone, and she would do “anything and everything” to protect her children. She asked the court to give her more time to complete all her classes, and, if not, place D.J.C. with Robert R. or her cousin. Vanessa R. believed she and D.J.C. were bonded and termination was not in his best interest because he called her “mom” and was always excited to see her. She said she visited with D.J.C. once at his foster home and saw a red mark on his lip. The foster mother explained D.J.C. was always chewing on that side of his mouth, but Vanessa R. did not believe her. She also said D.J.C. had cuts on the side of his legs from wearing too-large shoes, and on another day, he had a rubber band holding back his hair, which she thought was inappropriate because he is a boy and does not need anything in his hair.

Following the hearing, the trial court signed an order terminating Vanessa R.’s parental rights and appointing the Department as permanent managing conservator.



## STATUTORY TERMINATION GROUNDS

In her first issue, Vanessa R. asserts the evidence is legally and factually insufficient to support the trial court's findings regarding the statutory grounds for termination. Although the trial court found multiple grounds for termination, it was required to find only one statutory ground in order to terminate her parental rights. TEX. FAM. CODE ANN. § 161.001(b) (West Supp. 2016). Therefore, so long as there is sufficient evidence to support at least one of those grounds, we must uphold the finding. *In re A.V.*, 113 S.W.3d 355, 362 (Tex. 2003). In this case, we focus our analysis on the endangerment grounds stated in subsections D and E of section 161.001(b)(1) because both share common facts and matters of law. When reviewing the sufficiency of the evidence, we apply the well-established standards of review. *See* TEX. FAM. CODE §§ 101.007, 161.206(a); *In re J.P.B.*, 180 S.W.3d 570, 573 (Tex. 2005) (legal sufficiency); *In re H.R.M.*, 209 S.W.3d 105, 108 (Tex. 2006) (factual sufficiency).

While both subsections D and E focus on endangerment, they differ regarding the source and proof of endangerment. *In re S.M.L.*, 171 S.W.3d 472, 477 (Tex. App.—Houston [14th Dist.] 2005, no pet.); *In re R.D.*, 955 S.W.2d 364, 367 (Tex. App.—San Antonio 1997, pet. denied). Subsection D concerns the child's living environment, rather than the parent's conduct, although parental conduct is relevant to the child's environment. *In re S.M.L.*, 171 S.W.3d at 477; *In re J.T.G.*, 121 S.W.3d 117, 125 (Tex. App.—Fort Worth 2003, no pet.). Subsection D permits termination based upon only a single act or omission. *In re R.D.*, 955 S.W.2d at 367. Under subsection E, the cause of the endangerment must be the parent's conduct and must be the result of a conscious course of conduct rather than a single act or omission. *In re S.M.L.*, 171 S.W.3d at 477; *In re J.T.G.*, 121 S.W.3d at 125. Endangerment can be exhibited by both actions and failures to act. *In re S.M.L.*, 171 S.W.3d at 477. It is not necessary that the parent's conduct be directed at the child or that the child actually be injured; rather, a child is endangered when the environment

or the parent's course of conduct creates a potential for danger that the parent is aware of but disregards. *Id.*

Subsection D permits termination of parental rights if the parent “knowingly placed or knowingly allowed the child to remain in conditions or surroundings which endanger the physical or emotional well-being of the child.” TEX. FAM. CODE § 161.001(b)(1)(D). The child’s “environment” refers to the suitability of the child’s living conditions as well as the conduct of parents or others in the home. *In re S.R.*, 452 S.W.3d 351, 360 (Tex. App.—Houston [14th Dist.] 2014, pet. denied). “Inappropriate, abusive, or unlawful conduct by a parent or other persons who live in the child’s home can create an environment that endangers the physical and emotional well-being of a child” as required under this subsection. *Id.* Conduct that demonstrates awareness of an endangering environment is sufficient to show endangerment. *In re S.M.L.*, 171 S.W.3d at 477. In considering whether to terminate parental rights, the court may look at parental conduct both before and after the birth of the child. *Avery v. State*, 963 S.W.2d 550, 553 (Tex. App.—Houston [1st Dist.] 1997, no pet.).

Subsection E permits termination if the parent has “engaged in conduct or knowingly placed the child with persons who engaged in conduct which endangers the physical or emotional well-being of the child.” TEX. FAM. CODE § 161.001(b)(1)(E). Within the context of subsection E, endangerment encompasses “more than a threat of metaphysical injury or the possible ill effects of a less-than-ideal family environment.” *Tex. Dep’t of Human Servs. v. Boyd*, 727 S.W.2d 531, 533 (Tex. 1987). Instead, endanger means to expose the child to loss or injury or to jeopardize his emotional or physical health. *Id.*; *Walker v. Tex. Dep’t of Family & Protective Servs.*, 312 S.W.3d 608, 616–17 (Tex. App.—Houston [1st Dist.] 2009, pet. denied). The relevant inquiry is whether evidence exists that the endangerment of the child’s physical or emotional well-being was the direct result of the parent’s course of conduct, including acts, omissions, or failures to act. *In re*

*M.E.-M.N.*, 342 S.W.3d 254, 262 (Tex. App.—Fort Worth 2011, pet. denied); *In re C.A.B.*, 289 S.W.3d 874, 883 (Tex. App.—Houston [14th Dist.] 2009, no pet.).

The specific danger to the child’s well-being may be inferred from parental misconduct standing alone, even if the conduct is not directed at the child and he suffered no actual injury. *See Boyd*, 727 S.W.2d at 533; *In re R.W.*, 129 S.W.3d 732, 738 (Tex. App.—Fort Worth 2004, pet. denied). And courts may consider parental conduct that did not occur in the child’s presence, including conduct before the child’s birth or after he was removed from a parent’s care. *Walker*, 312 S.W.3d at 617. “Domestic violence, want of self-control, and propensity for violence may be considered as evidence of endangerment.” *In re J.I.T.P.*, 99 S.W.3d 841, 845 (Tex. App.—Houston [14th Dist.] 2003, no pet.); *see also In re C.J.O.*, 325 S.W.3d 261, 265 (Tex. App.—Eastland 2010, pet. denied) (“If a parent abuses or neglects the other parent or other children, that conduct can be used to support a finding of endangerment even against a child who was not yet born at the time of the conduct.”); *Sylvia M. v. Dallas Cty Welfare Unit*, 771 S.W.2d 198, 204 (Tex. App.—Dallas 1989, no writ) (considering “volatile and chaotic” marriage, altercation during pregnancy, and mother’s repeated reconciliation with abusive spouse). Also, “Texas courts routinely consider evidence of parent-on-parent physical abuse in termination cases without specifically requiring evidence that the conduct resulted in a criminal conviction.” *In re V.V.*, 349 S.W.3d 548, 556 (Tex. App.—Houston [1st Dist.] 2010, pet. denied).

Here, the evidence shows Vanessa R. had a pattern of relationships with men that involved domestic violence. She admitted Michael C. was angry, aggressive, and violent, and she admitted to an abusive relationship with Robert R. Although Vanessa R. denied her children were exposed to Michael C.’s violent behavior, the trial court was entitled to believe the case worker’s testimony that the three oldest children had made outcries about Michael C.’s violence toward their mother, that they were afraid of Michael C., and that they had discovered drugs and money—apparently

belonging to Michael C.—in Vanessa R.’s home. By allowing her children to spend time with her mother, Vanessa R. placed the children in the same environment with her father who, allegedly, had sexually abused her and her sisters. Vanessa R. admitted she lied to the Department about her on-going relationship with Michael C., and the trial court was entitled to not believe her testimony that they were no longer together as a couple. Finally, the trial court could have reasonably concluded Vanessa R.’s history of exposing her older children to Michael C.’s violent nature, placing her children in an environment where their maternal grandfather may have been present, and grabbing a kitchen knife and going outside to puncture Michael C.’s tires while D.J.C. was alone in the house, was evidence of a course-of-conduct that endangered D.J.C. both physically and emotionally. For these reasons, we conclude the evidence was sufficient to support the trial court’s endangerment findings under Family Code section 161.001(b)(1)(D) and (E).

### **BEST INTEREST**

A trial court may order termination of the parent-child relationship only if the court finds by clear and convincing evidence one or more statutory grounds for termination and that termination is in the children’s best interest. TEX. FAM. CODE § 161.001(1), (2); § 161.206(a). There is a strong presumption that keeping a child with a parent is in the child’s best interest. *In re R.R.*, 209 S.W.3d 112, 116 (Tex. 2006). However, when the court considers factors related to the best interest of the child, “the prompt and permanent placement of the child in a safe environment is presumed to be in the child’s best interest.” TEX. FAM. CODE § 263.307(a). In determining whether a child’s parent is willing and able to provide the child with a safe environment, we consider the factors set forth in Family Code section 263.307(b).

We also apply the non-exhaustive *Holley* factors to our analysis. *See Holley v. Adams*, 544 S.W.2d 367, 371–72 (Tex. 1976). And finally, evidence that proves one or more statutory grounds for termination may constitute evidence illustrating that termination is in the child’s best interest.

*In re C.H.*, 89 S.W.3d 17, 28 (Tex. 2002) (holding same evidence may be probative of both section 161.001(1) grounds and best interest, but such evidence does not relieve the State of its burden to prove best interest). A best interest analysis may consider circumstantial evidence, subjective factors, and the totality of the evidence as well as the direct evidence. *In re E.D.*, 419 S.W.3d 615, 620 (Tex. App.—San Antonio 2013, pet. denied). A trier of fact may measure a parent’s future conduct by her past conduct and determine whether termination of parental rights is in the child’s best interest. *Id.*

Here, D.J.C. was too young to express his own desires, but there was evidence he was happy to see Vanessa R., whom he calls “mom.” However, the trial court also heard testimony about the child’s interaction with his foster family. Villalobos testified D.J.C. grabbed and hugged his foster mother, wanted to imitate his foster father’s hair style, and enjoyed playing with the other children in the household. She thought Vanessa R. and D.J.C. were bonded, “but not as mother and son.” She explained

[t]he bond with [Vanessa R.] is more of the bond he has with me where he sees me and he screams and is happy to see me, and he knows he’s going somewhere. And . . . I tell him McDonald’s and he screams and grabs [Vanessa R.] and hugs her just like he does with me. I believe he understands [she is his mom], but at the same time he doesn’t. It’s — I can’t say that — he’ll pretend to cry when he’s leaving McDonald’s, but it’s McDonald’s. He’ll be like (indicating sound), but [he] really never really cries. . . .

When he’s leaving the foster home, he not only says bye, I love you, he goes to foster mom, says bye I love you and just squeezes her face. Like it’s very different than the bond he has with [Vanessa R.].

In addition to considering evidence of the statutory grounds for termination summarized above, the trial court also considered Villalobos’s testimony that Vanessa R. had held five to six different jobs during the pendency of the case, and presently worked the night shift at a gas station in San Antonio. Villalobos also testified Vanessa R. had four or five different homes during the pendency of the case. In Villalobos’s opinion, Vanessa R.’s inability to sustain stable housing and

her financial dependence on Robert R.—with his own history of domestic violence—was not healthy for D.J.C. and it showed Vanessa R. was unable to properly provide for D.J.C.’s everyday needs. Villalobos believed that, although Vanessa R. loved her son, Vanessa R. wanted only what was best for herself.

Although no evidence was presented about the parenting ability of or the programs available to the foster family or Vanessa R.’s cousin, the record contains sufficient evidence about Vanessa R.’s poor parenting skills. In addition to maintaining relationships with men who are abusive and either denying the domestic violence or characterizing it as “accidental,” Vanessa R. repeatedly exposed all her children to these men and the children were afraid. Vanessa R. did not tell her caseworker about the sexual abuse allegations against her father, and on two occasions she exposed D.J.C. to domestic violence: once when Michael C. pushed Vanessa R. while she was holding the child, and again when Michael C. came to the house, threw a bag at the television and Vanessa R. followed Michael C. outside with a kitchen knife. Villalobos did not believe Vanessa R. could protect D.J.C. from repeated exposure to violence.

Although Vanessa R. completed one domestic violence class, she admitted she had not completed the most recent court-ordered domestic violence class despite acknowledging that, of all the required services, this class was the most important one for her to complete. Although Vanessa R. testified she could protect D.J.C., the trial court was free to disbelieve her testimony.

Villalobos testified Vanessa R. lied about her on-going relationship with Michael C., and during the pendency of the case, Vanessa R. posted on Facebook something about partying and Xanax. Villalobos stated Vanessa R.’s parental rights should be terminated because

[Vanessa R.] has demonstrated that she has placed [D.J.C.] in danger before. She has not shown the Department to even — she has not addressed her issues. She has not shown us that anything has changed. She has placed [D.J.C.] in danger when she was with Michael, even during — I’m sorry, during this case. She — there — she has not demonstrated any change whatsoever.

Based on this record and deferring to the trial court's assessment of the witnesses' credibility, we conclude the evidence is sufficient to support the trial court's finding that termination of Vanesa R.'s parental rights was in D.J.C.'s best interest.

**CONCLUSION**

We overrule Vanessa R.'s issue on appeal and affirm the trial court's Order of Termination.

Karen Angelini, Justice