

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of N.S.R., a/k/a T.I.R., Minor.

DANIEL GRANDBERRY and JEANINE
GRANDBERRY,

UNPUBLISHED
June 26, 2003

Petitioners-Appellants,

V

MIGNON HAWKINS,

No. 241138
Wayne Circuit Court
Family Division
LC No. 01-399611

Respondent-Appellee,

and

KIRK WYNN,

Respondent.

Before: Markey, P.J., and Cavanagh and Hoekstra, JJ.

MARKEY, J. (dissenting).

I respectfully dissent.

The evidence in this case was undisputed that the respondent “regularly and substantially failed or neglected without good cause” to visit, contact or communicate with her minor child for more than two years. Virtually all the contacts she had with the child – which even the majority characterizes as minimal – were extremely brief, primarily coincidental with other events, and demonstrated the respondent’s nearly perfect indifference to her child. These facts were in my opinion proven by clear and convincing evidence meaning the trial court clearly erred in determining that petitioners failed to satisfy subsection (f)(i). I would reverse.

/s/ Jane E. Markey