

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DAMARCUS PAYNE, LARON  
PAYNE, and CAMBRIA PAYNE, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MABEL IMEL JOLLEY,

Respondent-Appellant,

and

LERON KEVIN PAYNE and WESLEY JOLLEY,

Respondents.

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UNPUBLISHED

April 11, 2006

No. 264917

Calhoun Circuit Court

Family Division

LC No. 2003-002884-NA

Before: Hoekstra, P.J., and Wilder and Zahra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to her minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that petitioner established the statutory grounds for termination by clear and convincing evidence. MCR 3.977(J). Clear error has been defined as a decision that strikes this Court as more than just maybe or probably wrong. *In re Trejo*, 462 Mich 341, 356; 612 NW2d 407 (2000).

The conditions leading to adjudication were respondent-appellant's failure to supervise the children, her lack of parenting skills, and homelessness. These conditions continued to exist at the time of trial. Respondent-appellant did not have housing for the children at any time during the 18 months the case was pending. Further, respondent-appellant's parenting skills were still lacking at the time of trial. Although the foster care worker testified that she did not think respondent-appellant would leave the children unattended as she did during the incident leading to adjudication, respondent-appellant still struggled with providing adequate supervision for the three children. Respondent-appellant's counselor testified that respondent-appellant lacked insight into the needs of her children. Both the counselor and the foster care worker

testified that respondent-appellant made no progress in the area of parenting skills. The foster care worker testified that respondent-appellant did not have adequate parenting skills to control the children and keep them safe. She could not control the children during one-hour supervised visits. Moreover, respondent-appellant was inconsistent in visiting the children, and their emotional states had deteriorated as a result.

Furthermore, the evidence did not show that termination of respondent-appellant's parental rights was contrary to the children's best interests. MCL 712A.19b(5). Therefore, the trial court did not err in terminating her parental rights.

Affirmed.

/s/ Joel P. Hoekstra  
/s/ Kurtis T. Wilder  
/s/ Brian K. Zahra