

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LEONARDO JASSIEL
PAREDES, GENESKA MARIE PAREDES,
JAIME DEJESUS PAREDES, and RODOLFO
GUADALUPE PAREDES, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
May 4, 2006

Petitioner-Appellee,

v

RODOLFO PAREDES-SILVA,

No. 265636
Wayne Circuit Court
Family Division
LC No. 03-425878-NA

Respondent-Appellant,

and

EVELYN FRANCISCA ORTIZ MEDINA,

Respondent.

Before: White, P.J., and Fitzgerald and Talbot, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding the statutory grounds for termination established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although respondent-appellant complied with some aspects of his treatment plan, he fell short in several important respects. He tested positive for cocaine and alcohol late in the case. He took parenting classes and attended visitations regularly, but his parenting skills were inconsistent, and he and the mother could not control the children. One child had been sexually abused in respondents' home and the others had severe problems including encopresis and sexual acting out. Some had nightmares and were afraid of respondent-appellant. All had been neglected in the mother's home; respondent-appellant knew of the

mother's drug and mental problems and the conditions under which they lived. Respondent-appellant had left after abusing the mother and children. He was on probation for domestic violence against the mother. Termination of the mother's parental rights was affirmed by this Court on February 22, 2006.¹

The trial court reasonably looked to respondent-appellant's past history in finding no reasonable expectation that he could provide proper care and custody within a reasonable time, and that the children would likely be harmed in his care. Some of the conditions that brought the children into care remained unresolved, despite many months of services. A parent must benefit from services, not merely "go through the motions" of complying. *In re Gazella*, 264 Mich App 668, 676; 692 NW2d 708 (2005).

Further, the evidence did not establish that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *Trejo, supra* at 353. The children were not bonded with respondent-appellant. Their behavior problems worsened after visitations with respondent-appellant and the mother. Respondent-appellant failed to make sufficient progress to ensure that the children's best interests would be served by placing them in his care. The children need a safe, stable, loving, permanent home, which respondent-appellant cannot provide. We have examined the record and find no clear error in the trial court's decision terminating respondent-appellant's parental rights.

Affirmed.

/s/ Helene N. White
/s/ E. Thomas Fitzgerald
/s/ Michael J. Talbot

¹ *In re Paredes Minors*, unpublished order of the Court of Appeals, issued February 22, 2006 (Docket No. 265411).