

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of K.R.D., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DONNA DELGADO,

Respondent-Appellant,

and

JESSE DELGADO,

Respondent.

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In the Matter of K.R.D., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JESSE DELGADO,

Respondent-Appellant,

and

DONNA DELGADO,

Respondent.

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UNPUBLISHED

October 15, 2002

Nos. 237124

Monroe Circuit Court

Family Division

LC No. 99-014520-NA

No. 237212

Monroe Circuit Court

Family Division

LC No. 99-014520-NA

Before: Murphy, P.J., and Markey and R. S. Gribbs\*, JJ.

PER CURIAM.

In these consolidated appeals, respondents appeal as of right from the trial court order terminating their parental rights to the minor child under MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j). We affirm.

The minor child has leukemia and asthma, and she was diagnosed with Intermittent Explosive Disorder and Attention Deficit Hyperactivity Disorder, all of which require a strict medication regime and responsible monitoring. Testimony was presented which indicated that improper medical care and monitoring by respondents could possibly result in the child's death. The evidence showed that respondents are incapable of consistently providing proper medical care. Respondent mother, despite numerous admonitions, continued to smoke around the child, which was very dangerous considering the child's medical condition. Respondent father, who has anger management and aggression problems, attempted to conceal respondent mother's lapses in providing care for the child, and he minimized her smoking. Moreover, he believed that respondent mother could properly care for the child while he worked despite evidence to the contrary. Respondents' attendance at the child's medical appointments was poor.

The trial court did not clearly err in finding that §§ 19b(3)(c)(i), (g), and (j) were established by clear and convincing evidence with respect to both respondents. MCR 5.974(I); *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondents' parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondents' parental rights to the child.

Affirmed.

/s/ William B. Murphy  
/s/ Jane E. Markey  
/s/ Roman S. Gribbs

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\* Former Court of Appeals judge, sitting on the Court of Appeals by assignment.