

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

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In the Matter of JUSTIN D'ANGELO  
COURTNEY, Minor.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

v

ARNETTA COURTNEY,  
  
Respondent-Appellant,

and

ARTIE COURTNEY, III,  
  
Respondent.

UNPUBLISHED  
July 15, 2003

No. 245674  
Ingham Circuit Court  
Family Division  
LC No. 00-035609-NA

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In the Matter of JUSTIN D'ANGELO  
COURTNEY, Minor.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

v

ARNETTA COURTNEY, III,  
  
Respondent-Appellant,

and

ARNETTA COURTNEY,

No. 246251  
Ingham Circuit Court  
Family Division  
LC No. 00-035609-NA

Respondent.

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In the Matter of KAYRON MONTRECE DEVON  
COURTNEY, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ARTIE COURTNEY, III,

Respondent-Appellant,

and

ARNETTA COURTNEY,

Respondent.

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No. 246252  
Ingham Circuit Court  
Family Division  
LC No. 00-051281-NA

Before: Fitzgerald, P.J., and Hoekstra and O'Connell, JJ.

PER CURIAM.

In these consolidated appeals as of right, respondents challenge the trial court's orders terminating respondent Arnetta Courtney's parental rights to Justin Courtney, and terminating respondent Artie Courtney's parental rights to Justin and Kayron Courtney, pursuant to MCL 712A.19b(3)(b)(i), (b)(ii), (j), and (k)(iii) and (v). We affirm.

Respondents argue that the trial court erred in finding that the statutory grounds for termination were established by clear and convincing evidence. We disagree. We review the trial court's findings of fact for clear error. MCR 5.974(I); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999).

The evidence clearly and convincingly showed that Kayron suffered life-threatening injuries over a period of time in which he was in the sole custody of respondents. Additionally, there was evidence of other severe injuries in various stages of healing. Neither respondent was able to provide a credible explanation for the child's injuries, and both denied seeing visible whip and claw marks on the child's body. The child's injuries, which included retinal bleeding, a broken rib, and whip marks on his abdomen, were indicative of abuse. Further, after Kayron received his life-threatening injuries, respondents married each other and each continued to deny that they or the other was responsible for the injuries. In light of this evidence, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and

convincing evidence. Although Justin was not injured, the evidence of the physical abuse of Kayron was probative of how he would be treated. *In re Powers*, 208 Mich App 582, 588; 528 NW2d 799 (1995). Further, the evidence did not show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo, supra*.

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Joel P. Hoekstra

/s/ Peter D. O'Connell