

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of M. A. L. and A. R. L., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JEANNY LENDRUM,

Respondent-Appellant.

UNPUBLISHED

May 3, 2005

No. 258360

Oakland Circuit Court

Family Division

LC No. 03-686654-NA

Before: Saad, P.J., and Fitzgerald and Smolenski, JJ.

MEMORANDUM.

Respondent Jeanny Lendrum appeals the trial court's order that terminated her parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(ii) (parent failed to prevent injury or abuse suffered by child or sibling), (3)(g) (failure to provide proper care and custody), and (3)(j) (likelihood of harm to the child if returned to the parent's home) We affirm.

Respondent says that the trial court erred when it terminated her parental rights because there was no direct evidence that she knew that her husband, the children's father, was sexually molesting the children, and therefore no basis for the trial court's determination that she failed to protect the children from that abuse. Respondent is incorrect: There is substantial evidence that respondent knew that her husband is a pedophile. The record shows that her husband told respondent that he enjoyed sexually molesting children, and that this admission caused her to fear for her children's safety. Furthermore, the record shows that respondent knew that her husband frequently viewed child pornography, and that she saw him masturbate in front of the children on at least one occasion. Moreover, respondent happened upon her husband, her son, and a neighbor's daughter alone together in the son's bedroom, and saw that the neighbor's child was undressed, but chose to walk away and leave the three alone together. Respondent's husband subsequently molested both children. The record also shows that respondent has refused to accept any responsibility for her role in this case and has displayed a lack of motivation for improvement.

Our review of the record leads us to conclude that the trial court's ruling is well supported by clear and convincing evidence. Furthermore, our review of the record leads us to conclude that the termination of respondent's parental rights was clearly not against the best interests of the children. See MCL 712A.19b(5); MCR 3.977(E); *In re Trejo Minors*, 462 Mich

341, 354; 612 NW2d 407 (2000). Accordingly, we hold that the trial court properly ordered the termination of respondent's parental rights in the minor children.

Affirmed.

/s/ Henry William Saad
/s/ E. Thomas Fitzgerald
/s/ Michael R. Smolenski