

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KALYNNA TAYLOR
BLACKMAN, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
February 24, 2004

v

SHAMIKA LASHA BETHEA,

Respondent-Appellant,

No. 249472
Wayne Circuit Court
Family Division
LC No. 99-376196

and

ANDRE BLACKMAN,

Respondent.

Before: Borrello, P.J., and White and Smolenski, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court's order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g). We affirm.

The petitioner must establish a statutory ground for termination under MCL 712A.19b(3) by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Once the court finds that a statutory ground for termination has been established, MCL 712A.19b(5) requires that it terminate the respondent's parental rights to the child unless it finds that termination is clearly not in the child's best interests. *In re Trejo, supra* at 364-365. This Court reviews decisions terminating parental rights for clear error. *Id.* at 356. A trial court's decision to terminate parental rights is clearly erroneous if, although there is evidence to support it, the reviewing court on the entire record is left with the definite and firm conviction that a mistake has been made. *In re JK*, 468 Mich 202, 209-210; 661 NW2d 216 (2003).

Respondent was sixteen when the child was born and the court assumed jurisdiction. Her rights were not terminated until 2 ³/₄ years later. Although respondent made some progress during that time, the court did not err in concluding that she was nevertheless unable to provide proper care and custody for the child. *Id.* at 214. The evidence showed that she lacked the

maturity and motivation to recognize her deficiencies, accept needed assistance and modify her behavior. The court did not err in concluding that she was unwilling to make the necessary effort and commitment to resolve her problems. Thus, the trial court did not clearly err in finding that there was no reasonable expectation that respondent would be able to provide proper care and custody within a reasonable time considering the child's age. Further, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo, supra*. Thus, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Stephen L. Borrello
/s/ Helene N. White
/s/ Michael R. Smolenski