

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of SHARRIE LYNN MARTIN,  
MARCO ANTHONIO WILLIAMS, JR.,  
RODNEY GENE MARTIN, RODDRICK LEE  
MARTIN, and DARRYL ANTHONY MARTIN,  
Minors.

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

UNPUBLISHED  
July 20, 2006

Petitioner-Appellee,

v

TAMEKA L. MARTIN, a/k/a TAMEKA  
PEALASHA MARTIN, a/k/a TAMEKA  
PEALSHA MARTIN,

No. 266850  
Wayne Circuit Court  
Family Division  
LC No. 92-304629-NA

Respondent-Appellant,

and

MARTIN LEWIS DAVIS,

Respondent.

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Before: Neff, P.J., and Bandstra and Zahra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from an order terminating her parental rights to her five minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The children came into care after respondent-appellant allowed her roommate, who had a drinking problem, to watch the children, and the youngest wandered away from the home. This was not the first time that respondent-appellant left the children in her friend's care with dangerous consequences. Respondent-appellant was compliant and cooperative, completed many services, and kept in contact with the foster care worker, but she failed to improve her parenting skills. Although she successfully completed parenting classes,

she failed to acknowledge the seriousness of her actions in leaving her children without proper supervision and could not manage the children during visitation. She also failed to demonstrate that she could acquire and maintain independent housing. Respondent-appellant's first psychological evaluation showed that her operational judgment was "marginal." She had "limited intellectual function," had "[n]o insight," and would "[p]robably [be] unable to care for children without direct supervision." A second psychological evaluation showed that respondent-appellant was mildly mentally retarded. Respondent-appellant's physical health was also an impediment to her ability to parent effectively. She had an enlarged heart and congestive heart failure. Respondent-appellant's physical condition made it difficult for her to physically interact with the children.

Having found a statutory basis for termination, the trial court was required to terminate respondent-appellant's parental rights absent clear evidence on the whole record that termination was not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). All of the children had special needs, behavioral as well as academic, and needed constant supervision and intervention. Respondent-appellant did not understand the children's special needs and stated that they were fine when they were with her. She simply could not provide for their needs. The children were entitled to permanence and stability.

Affirmed.

/s/ Janet T. Neff  
/s/ Richard A. Bandstra  
/s/ Brian K. Zahra