

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of ARIANNA JANISSA  
HACKNEY-JACKSON, AKAYLA ANNETTE  
HACKNEY, AHNYSYTI LEEANA AUSTIN, and  
DESTINY LEAH AUSTIN, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

QUEENA MONIQUE HACKNEY,

Respondent-Appellant,

and

WILLIE JAY JACKSON and MONTOYO  
MCKINNEY,

Respondents.

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UNPUBLISHED  
November 5, 2009

No. 290573  
Kent Circuit Court  
Family Division  
LC Nos. 07-054409-NA;  
07-054410-NA;  
07-054412-NA;  
07-051218-NA

Before: Talbot, P.J., and Wilder and MJ Kelly, JJ.

PER CURIAM.

Respondent Queena Hackney appeals as of right from the trial court's order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

We review for clear error both the trial court's findings that a statutory ground for termination was proven by clear and convincing evidence, and its findings regarding the children's best interests. MCR 3.977(J); *In re JK*, 468 Mich 202, 209; 661 NW2d 216 (2003).

Although the evidence indicates that one child's special medical needs present a significant challenge that does not exist for the other children, the conditions that led to the adjudication centered on respondent's failure to take the child to medical clinics for treatment, as well as unstable housing and substance abuse involving marijuana. The trial court appropriately apprised itself of the circumstances surrounding these conditions in concluding that § 19b(3)(c)(i) was proven by clear and convincing evidence. *In re Jackson*, 199 Mich App 22, 26;

501 NW2d 182 (1993). Considering the evidence that respondent continued to have problems attending medical appointments for the children, was unable to move beyond transitional housing provided by Hope Community, and turned to alcohol before relapsing into marijuana use, the trial court did not clearly err in finding that the conditions that led to the adjudication continued to exist, and that there was no reasonable likelihood that they would be rectified within a reasonable time considering the children's ages.

In addition, the trial court did not clearly err in finding that §§ 19b(3)(g) and (j) were also each proven by clear and convincing evidence. The trial court found that respondent had not benefited from the services provided to her, and that she did not presently have the resources to even care for herself. Further, she had not been honest with caseworkers who were attempting to support her efforts to reunite with the children, and her social support system during the proceedings included a relationship with a person who had assaulted her. A parent must benefit from services sufficient to enable a court to find that the children will not longer be at risk of harm. *In re Gazella*, 264 Mich App 668, 676-677; 692 NW2d 708 (2005). The same evidence that supports the trial court's finding that § 19b(3)(c)(i) was proven also supports its findings that termination was appropriate under §§ 19b(3)(g) and (j).

Further, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5); *In re JK, supra* at 209. The court reasonably concluded that respondent's undisputed love for the children was not enough to safely parent them. The behavioral problems that arose after the oldest child and two of her siblings were removed from respondent's care and placed in foster homes does not provide a basis for disturbing the trial court's finding.

Affirmed.

/s/ Michael J. Talbot  
/s/ Kurtis T. Wilder  
/s/ Michael J. Kelly