

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JORDYN SPIKES, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TYTESHIA LATRESE SPIKES,

Respondent-Appellant,

and

ALVON DAVIS,

Respondent.

UNPUBLISHED

December 22, 2009

No. 292125

Wayne Circuit Court

Family Division

LC No. 07-466379-NA

Before: Murphy, C.J., and Jansen and Zahra, JJ.

MEMORANDUM.

Respondent Tyteshia Spikes appeals as of right the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(b)(i), (g), (j), and (l). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(G) and (J); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent's parental rights to an older child, Julian, were terminated in August 2008. This Court affirmed, noting that respondent struck the medically fragile Julian and was convicted of fourth-degree child abuse.¹ In the present case, respondent violated her probation, visited Jordyn only four times in five months, and failed to provide proof of taking a parenting class or to complete other services. Respondent's argument that her visitation failures were the result of transportation and logistical problems does not hold weight, where she received bus tickets from DHS and rarely visited the child even during the time that the child lived nearby. Although respondent was working toward some of her goals,

¹ *In re JLS*, unpublished memorandum opinion of the Court of Appeals, issued March 24, 2009 (Docket No. 287532).

the trial court did not err in declining to give her additional time to complete her plan or in finding that there was a reasonable likelihood that Jordyn would suffer harm in her care. How a parent treats one child is probative of probable treatment of another child. *In re AH*, 245 Mich App 77, 84; 627 NW2d 33 (2001); *In re Powers*, 208 Mich App 582, 588-589; 528 NW2d 799 (1995). Respondent's argument that the trial court improperly focused on Jordyn's adoptability in ordering termination is not supported by the record, where the court simply made a passing reference to adoption.

Further, the trial court did not clearly err in finding that termination of respondent's parental rights was in Jordyn's best interests. MCL 712A.19b(5); *Trejo, supra* at 356-357. The circumstances noted above, including respondent's poor attendance at visitations, showed that respondent lacked commitment to the child. The record provided evidence sufficient to support the trial court's best interests findings.

Affirmed.

/s/ William B. Murphy

/s/ Kathleen Jansen

/s/ Brian K. Zahra