

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JANET LYNN FOONDLE,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

STEVEN CARL FOONDLE,

Respondent-Appellant,

and

TAMMY LYNN FOONDLE

Respondent.

In the Matter of JANET LYNN FOONDLE,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TAMMY FOONDLE,

Respondent-Appellant,

and

STEVEN CARL FOONDLE,

Respondent.

UNPUBLISHED
November 4, 2004

No. 255548
Berrien Circuit Court
Family Division
LC No. 2003-000013-NA

No. 255795
Berrien Circuit Court
Family Division
LC No. 2003-000013-NA

Before: Murray, P.J., and Sawyer and Smolenski, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the trial court order terminating their parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). 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(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal condition that led to adjudication was respondents' failure to recognize that exposing their child to a known sexual predator placed the child at risk of abuse. The evidence established that, after over a year of attempts to provide services, most of which were refused, respondents still not only maintained a relationship with the sex offender but advocated for his innocence despite his conviction of a sexual assault against his girlfriend and the minor child's revelation to her counselor that she had been sexually victimized by this man. Thus, the trial court did not err in terminating respondents' parental rights to their child.

Affirmed.

/s/ Christopher M. Murray

/s/ David H. Sawyer

/s/ Michael R. Smolenski