

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TASHANA TILLMAN, SHANDELL
TILLMAN, and SHARMARRI TILLMAN, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

REGINA TILLMAN,

Respondent-Appellant,

and

WILLIAM DUKES,

Respondent.

UNPUBLISHED
February 27, 1998

No. 202707
Kent Juvenile Court
LC No. 94-061000-NA

Before: Michael J. Kelly, P.J., and Fitzgerald and M.G. Harrison*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

Where at least one of the statutory grounds for termination is met by clear and convincing evidence, the juvenile court may terminate parental rights. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1993). This Court reviews the juvenile court's findings of fact for clear error. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). We find that the juvenile court erred in determining that the conditions leading to adjudication continued to exist at the time of the termination proceeding. There was no evidence that respondent-appellant was continuing to use or deal drugs. In addition, she had moved to more appropriate housing and had not been in trouble with the law after being released on parole. Thus, termination under subsection (3)(c)(i) was inappropriate. However, the juvenile court did not err in finding that the statutory ground for termination as articulated in subsection (3)(g) was established by clear and convincing evidence. MCR 5.974(I); *In re Miller, supra*. There was ample evidence of respondent-appellant's inability to provide proper care and custody and the evidence demonstrated that she would be unable to do so within a reasonable time.

Affirmed.

/s/ Michael J. Kelly
/s/ E. Thomas Fitzgerald
/s/ Michael G. Harrison

* Circuit judge, sitting on the Court of Appeals by assignment.

