

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of SAMUEL JERMAINE CLAY,  
TORIANA JANE CLAY, LORENZO DIANTE  
CLAY, and D'ANGELO MARKEZ SCOTT, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MARGARET THERESA CLAY and TERENCE  
MACEO SCOTT,

Respondents-Appellants.

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UNPUBLISHED

August 17, 1999

Nos. 213705;213757

Wayne Circuit Court

Family Division

LC No. 89-277085

Before: Gribbs, P.J., and Smolenski and Gage, JJ.

MEMORANDUM.

Respondents appeal as of right from a family court order terminating their parental rights to the minor children under MCL 712A.19b(3)(b)(i), (b)(ii), (c)(i), (g), and (j); MSA 27.3178(598.19b)(3)(b)(i), (b)(ii), (c)(i), (g), and (j). We affirm.

Regarding respondent Terence Scott, we conclude that the trial court did not clearly err in finding that subsection 19b(3)(g) was established by clear and convincing evidence. MCR 5.974(I); *In re JS & SM*, 231 Mich App 92, 98; 585 NW2d 326 (1998). Respondent's own testimony at a dispositional review hearing clearly and convincingly established that he currently resided in a drug rehabilitation clinic, had a long history of drug abuse, and had relapsed several times.<sup>1</sup> Because only one statutory ground need exist to warrant termination of parental rights, *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991), it is unnecessary to determine whether termination of respondent Scott's parental rights was warranted under the remaining statutory grounds relied on by the trial court.

Respondent Margaret Clay does not argue on appeal that the statutory grounds for termination were not proved by clear and convincing evidence. She and respondent Scott challenge the court's

determination that termination of their parental rights would serve the children's best interests. Respondents failed, however, to satisfy their burden of showing that termination of their parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); MCR 5.974(E)(2); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, we conclude that the trial court did not err in terminating respondents' parental rights to the children.

Affirmed.

/s/ Roman S. Gribbs

/s/ Michael R. Smolenski

/s/ Hilda R. Gage

<sup>1</sup> Therefore, respondent's argument that only hearsay evidence supported the trial court's findings with respect to respondent's drug problems is without merit; respondent's own testimony did not constitute hearsay. MRE 801(c).