

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SHAMESHRA CHRISECA HALL,
KAE'ZHAUN BRAE'KHAL YURI HALL, and
KATI-YUREEN ASHONNAN ALEXANDER
HALL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TRINISA ALEXANDER,

Respondent-Appellant,

and

DESHON HALL a/k/a DASHON BROOKS,

Respondent.

UNPUBLISHED

March 16, 2001

No. 227235

Wayne Circuit Court

Family Division

LC No. 95-323496

Before: Murphy, P.J., and Hood and Cooper, JJ.

MEMORANDUM.

Respondent appeals as of right from an order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(a)(ii), (3)(c)(i), (3)(g), and (3)(j); MSA 27.3178(598.19b)(3)(a)(ii), (3)(c)(i), (3)(g), and (3)(j). We affirm.

In 1992, there was a substantiated complaint of neglect raised against respondent and two unsubstantiated complaints of neglect. In 1995, respondent's mother complained that respondent was an alcoholic who was involved in an abusive relationship that required police intervention. It was also alleged that respondent's boyfriend was abusive to the children. A treatment plan was followed, and the petition for wardship was dismissed. In 1997, respondent was found walking on Jefferson with two of her three children at 2:00 a.m. Concerned citizens drove the family to the police station. Officers believed that respondent was intoxicated. At times, she would fall asleep then wake up and become belligerent. Respondent swung at citizens and police officers.

She was arrested for child neglect. The children were dirty and had urinated and defecated on their clothing. A petition was filed based on this incident. The same treatment plan went into effect. While respondent initially complied with some aspects of the treatment plan, her participation was erratic. Respondent's hostility and failure to accept responsibility for her actions caused anger management counseling to terminate by two different counselors. Respondent passed drug tests when she planned to attend in advance. When the drug screens were random, positive results for alcohol and opiates were present. The most recent positive test was in January 2000. Respondent also justified not complying with the treatment plan because of her conclusion that the matter was "in God's hands."

Respondent's contention that the court lacked jurisdiction is without merit. *In re Hatcher*, 443 Mich 426, 437; 505 NW2d 834 (1993); *In re Powers*, 208 Mich App 582, 587-588; 528 NW2d 799 (1995). The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 352; 612 NW2d 407 (2000). There was no evidence that respondent could provide proper care and custody within a reasonable period of time considering the age of the children. Termination was required unless the court found that termination was clearly not in the children's best interests. *Id.* at 364-365. On this record, we cannot conclude that termination was clearly not in the children's best interests.

Affirmed.

/s/ William B. Murphy
/s/ Harold Hood
/s/ Jessica R. Cooper