

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CMD, a/k/a CMJ, JTJ, DNJ, JR.,
and JSJ, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SAMANTHA JOHNSON,

Respondent-Appellant,

and

JOHN DONLEY and DAVID JOHNSON,

Respondents.

UNPUBLISHED
March 30, 2001

No. 229862
St. Joseph Circuit Court
Juvenile Division
LC No. 98-000162-NA

Before: Doctoroff, P.J., and Holbrook, Jr. and Hoekstra, JJ.

MEMORANDUM.

Respondent-appellant appeals by right from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g) and (j); MSA 27A.3178(598.19b)(3)(g) and (j). We affirm.

We conclude from a review of the record that the trial court did not clearly err in finding that the above-referenced subsections were established by clear and convincing evidence. MCR 5.974(I); *In re Vasquez*, 199 Mich App 44, 51; 501 NW2d 231 (1993). The record shows that respondent has a history of being unable to properly care for her children and to provide them with a stable home environment. Respondent had been in jail for over nine months after the current petition was filed, during which time she could not care for her children. Respondent admittedly has a history of cocaine use and sold drugs from her house when the children were living with her. The caseworker testified that respondent had no stable housing and that respondent has not kept in touch. The caseworker stated that she has experienced difficulty locating respondent, and respondent never returned the calls that the caseworker made to the

phone numbers provided by respondent. The two younger children's therapist testified that the children suffer from post-traumatic stress disorder, with one of the children exhibiting severe symptoms, including an attempt to hang himself. The therapist stated that respondent is a trigger to the children's problems, and that terminating respondent's parental rights is in the children's best interests.

Although respondent made efforts to "straighten up," we cannot conclude that the court clearly erred in terminating respondent's parental rights to the four minor children under these circumstances. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). To the extent that respondent claims that the holding of *Trejo* was not complied with, we find no clear error.

Affirmed.

/s/ Martin M. Doctoroff
/s/ Donald E. Holbrook, Jr.
/s/ Joel P. Hoekstra