

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SAM and SSM, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MYRA DONNELL McCARY,

Respondent-Appellant

and

JOSEPH TAYLOR,

Respondent.

UNPUBLISHED

April 24 2001

No. 227823

Wayne Circuit Court

Family Division

LC No. 97-353894

Before: Cavanagh, P.J., and Markey and Collins, JJ.

MEMORANDUM.

Respondent-appellant appeals by right the trial court's order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), (i), and (j); MSA 27.3178(598.19b)(3)(c)(i), (g), (i), and (j). We affirm.

The court's factual findings were supported by the evidence and, thus, were not clearly erroneous. *In re Vasquez*, 199 Mich App 44, 51; 501 NW2d 231 (1993); see, also, MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the trial court did not clearly err in finding that at least one statutory ground was established by clear and convincing evidence. *In re Trejo*, 462 Mich 341, 350, 352, 356-357; 612 NW2d 407 (2000). Respondent-appellant has a history of drug use and is unable to provide a drug-free and safe environment for the children. Although she completed an in-patient drug program, appellant failed to attend after-care treatment and failed to submit to drug screens on a regular basis. Her lack of concern for the children also was demonstrated by her lack of consistent visitation with the children while they were in foster care. Further, the evidence did not establish that termination was clearly not

in the children's best interests. *Id.* at 354, 357. The trial court did not err in terminating appellant's parental rights to the children.

We affirm.

/s/ Mark J. Cavanagh

/s/ Jane E. Markey

/s/ Jeffrey G. Collins