

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of L.D.B., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LINDA FAY HOBSON,

Respondent-Appellant,

and

SAUL BRIGGS,

Respondent.

UNPUBLISHED

June 26, 2001

No. 231690

Muskegon Circuit Court

Family Division

LC No. 92-018556-NA

Before: Gage, P.J., and Fitzgerald and Markey, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the order terminating her parental rights to L.D.B. pursuant to MCL 712A.19b(3)(i), (l), and (m); MSA 27.3178(598.19b)(3)(i), (l), and (m). We affirm.

Respondent does not dispute that the statutory grounds for termination were proved by clear and convincing evidence. Rather, she contends that the evidence established that it was not in the best interests of the child to terminate her parental rights. We disagree.

Once a statutory ground for termination has been proved by clear and convincing evidence, the court must terminate the parental rights unless the evidence establishes that termination is not in the best interests of the child. *In re Trejo*, 472 Mich 341;612 NW2d 407 (2000). Here, the evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent's parental rights to five of her other children were terminated because of her substance abuse and resulting neglect. Although respondent had completed two drug rehabilitation programs, she has been unable to

refrain from using drugs and admittedly continued to use cocaine up until the time of L.D.B's birth. Thus, the family court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Hilda R. Gage
/s/ E. Thomas Fitzgerald
/s/ Jane E. Markey