

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CHRISTOPHER WEST, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

DIANA WEST,

Respondent-Appellant,

and

BILLY WILSON,

Respondent.

UNPUBLISHED

January 29, 2002

No. 232955

Wayne Circuit Court

Family Division

LC No. 83-234597

Before: Sawyer, P.J., and O'Connell and Zahra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence showed that respondent-appellant had failed to rectify the condition that brought the child into care, her long-term heroin addiction, and that she was unable to provide proper care or custody for the child, such that the child would be at substantial risk of harm if returned to respondent-appellant. Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights.

Affirmed.

/s/ David H. Sawyer
/s/ Peter D. O'Connell
/s/ Brian K. Zahra