

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of S.M.L.H. and T.A.H, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TENA MARIE SHARP,

Respondent-Appellant,

and

MARSHALL CAMERON SHARP and JACK  
EURBAN HINES,

Respondents.

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Before: Gage, P.J., and Griffin and G. S. Buth\*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the trial court's order terminating her parental rights to her children under MCL 712A.19b(3)(c)(i) and (g).<sup>1</sup> We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from

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<sup>1</sup> The trial court's order also terminated the parental rights of respondents Marshall Cameron Sharp and Jack Eurban Hines, the putative fathers of the children. Respondents Sharp and Hines have not appealed the trial court's order.

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\* Circuit judge, sitting on the Court of Appeals by assignment.

evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.* at 356-357.

We hold that the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination of respondent-appellant's parental rights. At the time the children were made temporary wards of the court, the court formulated a treatment plan that required respondent-appellant to obtain substance abuse treatment, undergo counseling, participate in parenting classes, and submit to a psychological evaluation. Respondent-appellant's caseworkers repeatedly emphasized the importance of respondent-appellant complying with the plan and gave respondent-appellant referrals for various services. Apparently, respondent-appellant did not sign a written copy of the plan. Nevertheless, the evidence showed that respondent-appellant was aware of her obligations and the steps she was required to take in order to regain custody of her children. Respondent-appellant took no steps to comply with the plan or to stabilize her life. The trial court did not clearly err in finding that termination of respondent-appellant's parental rights was warranted on the grounds that the conditions that led to adjudication continued to exist and were not reasonably likely to be rectified within a reasonable time considering the children's ages, MCL 712A.19b(3)(c)(i), and that respondent-appellant failed to provide proper care or custody and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g). The evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCR 5.974(I); *Trejo*, *supra*.

Affirmed.

/s/ Hilda R. Gage  
/s/ Richard Allen Griffin  
/s/ George S. Buth