

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

---

In the Matter of S.J.N. and J.J.N., Minors.

---

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

JOHNNY NICHOLS,

Respondent-Appellant,

and

VELMA MCCULLOUGH,

Respondent.

---

UNPUBLISHED

October 22, 2002

No. 233089

Wayne Circuit Court

Family Division

LC No. 99-377093

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

VELMA ELOIS MCCULLOUGH,

Respondent-Appellant,

and

JOHNNY NICHOLS,

Respondent.

---

No. 233284

Wayne Circuit Court

Family Division

LC No. 99-377093

Before: Hoekstra, P.J., and Wilder and Zahra, JJ.

PER CURIAM.

In these consolidated cases respondents appeal as of right the trial court's order terminating their parental rights to their children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm in both cases. These appeals are 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 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.*, 356-357.

We hold the trial court did not clearly err in finding that petitioner established by clear and convincing evidence the existence of one or more statutory grounds for termination of respondents' parental rights. Petitioner sought custody of the children because they did not have suitable housing and because both respondents had substance abuse problems. At the time of the permanent custody hearing, which occurred nearly two years after the children were taken into custody, respondents had not obtained suitable housing or successfully addressed their substance abuse problems. The trial court did not clearly err in finding that termination of respondents' parental rights was warranted on the grounds the conditions that led to adjudication continued to exist and it was not reasonably likely they would be rectified within a reasonable time, MCL 712A.19b(3)(c)(i), that respondents did not provide proper care or custody for the children and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g), and that it was reasonably likely the children would be harmed if returned to respondents' custody, MCL 712A.19b(3)(j). The evidence did not show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5).

Affirmed.

/s/ Joel P. Hoekstra  
/s/ Kurtis T. Wilder  
/s/ Brian K. Zahra