STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of R.A-M.N, Minor.

FAMILY INDEPENDENCE AGENCY,

      Petitioner-Appellee,

v

SOPHIA NEWSON,

      Respondent-Appellant,

and

JAMES ROBERT BOOTHE,

      Respondent.

UNPUBLISHED
December 6, 2002

No. 241381
Saginaw Circuit Court
Family Division
LC No. 99-025617-NA

Before: Neff, P.J., and Hoekstra and O'Connell, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g).[1] We affirm.

The trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Although respondent-appellant had resolved some of the conditions leading to adjudication, the evidence established that she continued to use cocaine. Respondent-appellant tested positive for cocaine within three months of the termination hearing, and only participated in one drug screen after the positive test. With respect to § 19b(3)(g), the evidence showed that respondent-appellant failed to provide proper care and custody for her child by continuing to use drugs and by her history of unstable housing.

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[1] Since this action was filed, this statute has been amended on grounds not relevant to this appeal. See 1998 PA 479; 1998 PA 530; 2000 PA 46; 2000 PA 232.

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). Although there was evidence that respondent-appellant loved the child and the child was bonded to her, she continued to use drugs and the evidence established that the child needed permanence. Thus, the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Janet T. Neff
/s/ Joel P. Hoekstra
/s/ Peter D. O'Connell