

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DARRELL DARNELL SUTTON-
MARQUEZ, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHANNON MARQUEZ,

Respondent-Appellant,

and

DARRYLL SUTTON,

Respondent.

UNPUBLISHED
February 19, 2004

No. 248863
Wayne Circuit Court
Family Division
LC No. 94-314339

Before: Cooper, P.J., and O'Connell and Fort Hood, JJ.

MEMORANDUM.

Respondent Marquez appeals as of right from a circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), (i) and (j). We affirm.

The trial court did not clearly err in finding that at least one statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Respondent, who had a long-term history of substance abuse, lost custody of the child's siblings after numerous attempts at treatment failed. The minor child tested positive for cocaine at birth and despite referrals for substance abuse treatment and counseling, respondent continued to use cocaine and tested positive for the drug just a month before the termination hearing. Further, the trial court's finding regarding the child's best interests was not clearly erroneous. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 354,

356-357; 612 NW2d 407 (2000). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra* at 356-357.

Affirmed.

/s/ Jessica R. Cooper
/s/ Peter D. O'Connell
/s/ Karen M. Fort Hood