

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of H.W., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DARLENE FARRELL,

Respondent-Appellant,

and

DON WILLARD,

Respondent-Not Participating.

UNPUBLISHED

April 15, 2004

No. 250939

Jackson Circuit Court

Family Division

LC No. 02-002899-NA

Before: Cavanagh, P.J., and Murphy and Smolenski, 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), (g), and (j). We affirm. This appeal 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. See MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal conditions that led to adjudication were respondent-appellant's history of domestic violence and alcoholism. The evidence established that respondent-appellant had not resolved her dependency issues either with regard to alcohol or inappropriate relationships.

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. See MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although the testimony indicated the child was bonded

with her mother, the record indicated the child's constant worry about her mother's safety was affecting her mental and emotional well-being. Thus, the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Mark J. Cavanagh
/s/ William B. Murphy
/s/ Michael R. Smolenski