

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MICHAELA NICOLE
SMITHERS, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHERRY S. SMITHERS,

Respondent-Appellant,

and

KEITH ALLEN SANFORD,

Respondent.

UNPUBLISHED

April 15, 2004

No. 252170

St. Joseph Circuit Court

Family Division

LC No. 02-001259-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)(g) and (j). We affirm.

The trial court did not clearly err in finding the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337, 344-345; 445 NW2d 161 (1989). The principal conditions that led to adjudication were respondent-appellant's long-term criminal involvement and drug abuse. The evidence established that, given respondent-appellant's continued involvement in drugs after the birth of the minor child, the likelihood she would be rehabilitated when she was released from prison was slight and that the wait was not reasonable given the young age of the child.

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 Minors*, 462 Mich 341, 353-357; 612 NW2d 407 (2000). There was no existing bond between respondent-appellant and the child, and the child was thriving in its current placement.

Affirmed.

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