

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEMETRIUS TRAYVON
WATTS, AAONN D'ANGELO JUWAN
LOWERY, ZARIA MONIQUE GABRIELLE
SIMMONS, ARIEL LATRICE SIMMONS,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CHALFONTAE DANITA WATTS,

Respondent-Appellant,

and

SHARREFE OMAR SIMMONS, TOMMY
SMITH, and ALONZO MANUEL LOWERY,

Respondents.

In the Matter of RAY'QUAN CHRISTOPHER
WATTS, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CHALFONTAE WATTS,

Respondent-Appellant.

UNPUBLISHED
June 3, 2004

No. 251908
Wayne Circuit Court
Family Division
LC No. 02-407793

No. 251909
Wayne Circuit Court
Family Division
LC No. 02-407793

Before: Markey, P.J., and Wilder and Meter, JJ.

MEMORANDUM.

In these consolidated appeals, respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(i), (b)(ii), (c)(i), (g), and (j). We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

The trial court clearly erred in finding that § § 19b(3)(b)(i) and (ii) were established because there was no evidence that the children were physically or sexually abused by respondent-appellant or any other individual. The petitioner-appellee concedes this issue. However, the trial court did not clearly err in finding that § § 19b(3)(c)(i), (g), and (j) were established by clear and convincing evidence. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). At adjudication, respondent-appellant admitted that she could not plan for the children, that she abused crack cocaine, that she lacked suitable housing for the children, that she had no source of income, that she had been involved in relationships involving domestic violence, and that the school-aged children had missed excessive amounts of school and had been excessively tardy. Respondent-appellant's whereabouts were frequently unknown while the case was pending and by the time of the termination hearing, she had not had any contact with the children in over sixteen months. Respondent-appellant admits on appeal that she did little or nothing to comply with her treatment plan, and the evidence supports this fact. Just two weeks prior to the termination hearing, respondent-appellant admitted to the foster care worker that she continued to be "sick" with a drug problem. Moreover, respondent-appellant did not appear at the termination hearing. Respondent-appellant's argument that § 19b(3)(c)(i) was not established because relatives had rectified the conditions leading to adjudication is abandoned because respondent-appellant fails to cite any authority in support of her argument. *In re Powers*, 208 Mich App 582, 588; 528 NW2d 799 (1995). Moreover, her argument is without merit under the plain language of the statute.

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the best interests of the children, especially considering respondent-appellant's prolonged lack of contact with her children and failure to appear at the termination hearing. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Jane E. Markey
/s/ Kurtis T. Wilder
/s/ Patrick M. Meter