

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEVION DE'SEAN JAREEL
WEEMS, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

PAMELA JEAN WEEMS,

Respondent-Appellant.

UNPUBLISHED

June 15, 2004

No. 253203

Saginaw Circuit Court

Family Division

LC No. 03-028275-NA

Before: Sawyer, P.J., and Gage and Owens, JJ.

MEMORANDUM.

Respondent 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.

The trial court did not err in scheduling the permanency planning hearing. It was scheduled within one year of the dispositional order. MCL 712A.19a (1).

Further, the evidence revealed no clear error in the trial court's finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent suffered from a drug addiction that spanned over twenty years. This addiction led to her three older children being placed in guardianships. Despite what appeared to be respondent's good intentions to overcome her addiction after being incarcerated, the court did not clearly err in concluding there was insufficient evidence to support a finding that respondent had overcome the long history of failed attempts at sobriety.

Finally, the evidence did not establish that termination of respondent's parental rights was contrary to the child's best interests. *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). Therefore, the trial court did not err in terminating respondent's parental rights.

Affirmed.

/s/ David H. Sawyer

/s/ Hilda R. Gage

/s/ Donald S. Owens