

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DENMARIUS CARON ODNEAL,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TINISHA WASHINGTON,

Respondent-Appellant.

UNPUBLISHED
December 16, 2004

No. 255541
Oakland Circuit Court
Family Division
LC No. 03-685778-NA

Before: Markey, P.J., and Fitzgerald and Owens, JJ.

MEMORANDUM.

Respondent appeals by right the trial court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(g), (j), and (l). 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. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The evidence clearly demonstrated that respondent was unable to sustain substance abuse or mental health treatment. Moreover, there was evidence that respondent was beginning to decompensate, was planning to discontinue her mental health treatment, and had already discontinued her substance abuse treatment program. Moreover, respondent stipulated that her parental rights to another child had been terminated in 2002. Accordingly, the trial court did not err in terminating respondent's parental rights.

We affirm.

/s/ Jane E. Markey
/s/ E. Thomas Fitzgerald
/s/ Donald S. Owens