

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SERINA A. HOYLE, KIANNA L.
HOYLE, and TYRELL D. HOYLE, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KISA HOYLE,

Respondent-Appellant.

UNPUBLISHED
December 21, 2004

No. 256266
Ogemaw Circuit Court
Family Division
LC No. 02-012025-NA

Before: Murphy, P.J., and White and Kelly, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court order terminating her parental rights to the minor children 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. MCR 3.977(J); *In re Trejo Minors*, 462 Mich 341, 351; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The primary condition that led to adjudication was respondent's failure to provide appropriate housing for her children, and this condition remained a problem for respondent throughout the pendency of the case. She lived with the children in two homes that were inappropriate because of the occupants' criminal or Protective Services histories and was sometimes without housing. Although she acquired stable housing at Aurora House, and the children were returned to her care to live with her there, she lost that housing by breaking the rules and drinking alcohol. By the time of the termination hearing, respondent had secured an apartment, which appeared suitable, but she had paid only \$99 to secure it and had not yet made a rent payment. Given respondent's history of inconsistency and poor decision-making, as well as her sporadic employment history, the trial court did not err in concluding that it was unlikely that she would be able to maintain secure housing or a stable environment for the children. We also note that respondent's appellate brief argues error only in relation to MCL 712A.19b(3)(c)(i) and not subsections (g) and (j), which additionally formed the basis of the court's order. Only one statutory ground is required for termination. MCL 712A.19b(3).

Further, the evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *Trejo, supra* at 356-357. The evidence reflected that respondent was incapable of maintaining a safe and stable home for the children. Even when provided with support and structure, respondent made poor decisions, which led to homelessness for her and her children.

Affirmed.

/s/ William B. Murphy

/s/ Helene N. White

/s/ Kirsten Frank Kelly