

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TIESHA ANITA MAPP, Minor.

SCOTT VOGEL and AMY VOGEL,

Petitioners-Appellees,

UNPUBLISHED
December 28, 2004

v

No. 256017
Kent Circuit Court
Family Division
LC No. 00-057501-NA

SHERRIE MAPP,

Respondent-Appellant,
and

QUENTIN WEBB,

Respondent.

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

PER CURIAM.

Appellant appeals by delayed leave granted the trial court's order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(a)(ii), (e), (f), and (g), following a petition filed by the child's legal guardians for the purpose of adoption. We affirm.

Appellant's challenge to the sufficiency of the evidence upon which termination was based is not properly before this Court because it was not raised in her statement of questions presented. *In re BKD*, 246 Mich App 212, 218; 631 NW2d 353 (2001). Even if it were, her argument would fail. Appellant's failure to arrange a guardianship for the minor child, not the fact that she left the child with other caregivers, prompted the filing of the original petition. Appellant also did not comply with the compact agreement when she failed to complete a substance abuse assessment or secure suitable housing. Finally, although appellant received limited income from social security disability, she did have some ability to provide financial support for the child but failed to do so. The trial court did not clearly err in determining that statutory grounds for termination had been established by clear and convincing evidence. MCR 3.911(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999).

Appellant next argues that reasonable efforts were not made prior to the termination to either prevent the child's removal from the home or rectify the conditions that led to the child's removal. However, services were offered to appellant from 1998 through 1999, but she refused

to participate. In the spring of 2000, the Family Independence Agency (FIA) tried to prevent the removal of the child by encouraging appellant to establish a guardianship for the child, but she failed to do so. When the child was removed from appellant's care, the FIA tried to implement a kinship placement with appellant's sister, with the goal of reunification, but the placement was disapproved because appellant's sister had a criminal record, and petitioners became the child's guardians with the continued goal of reunification.

Moreover, appellant did not fulfill the requirements of the compact agreement, even though the evidence showed that Family Outreach provided her the opportunity to submit to a substance abuse assessment and have visitation with the child. Appellant ignores this evidence and instead argues that petitioners sabotaged her efforts at reunification. She characterizes one incident, in which the petitioners asked her to vacate an apartment leased in their name because the apartment was suspected of being a drug house, as a violation of the compact agreement, however the compact agreement was not even developed at the time of this incident. This incident also did not prevent appellant from securing her own housing in the following four years. Appellant's additional allegations that petitioners sabotaged her efforts at visitation and falsely claimed that she made no efforts to visit the child were refuted at trial.¹

Appellant next argues that termination was contrary to the child's best interests because the evidence showed that appellant and the child shared a bond. Although there was some testimony from the Protective Services investigator that appellant was bonded with the child, there was also testimony that the child benefited greatly from a stable home environment, which appellant did not provide. In addition, appellant argues that it was not in the child's best interests to be separated from her half-sibling. However, the child's younger brother was in a legal guardianship with his biological father and no longer resided in appellant's home. A review of the whole record does not demonstrate clear error by the trial court in its best interests determination.

Affirmed.

/s/ William B. Murphy
/s/ Helene N. White
/s/ Kirsten Frank Kelly

¹ Appellant's argument regarding the failure of petitioners to secure social security benefits for the child and/or the trial court's decision to allow the petition to be amended is not developed or supported by any legal citation. It is insufficient for a appellant to merely announce her position and leave it up to this Court to discover and rationalize the basis for her claims and then search for authority to sustain or reject her position. *Wilson v Taylor*, 457 Mich 232, 243; 577 NW2d 100 (1998).