

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of INEZ JANNESE KING and
JAN'NESE WYNETTA KING, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
November 15, 2005

Petitioner-Appellee,

v

JUANITA ARIZEE KING, a/k/a JUANITA
AIREZZ KING,

No. 261700
Wayne Circuit Court
Family Division
LC No. 03-418829-NA

Respondent-Appellant,

and

CORTEZ TAYLOR,

Respondent.

Before: Murphy, P.J., and Sawyer and Meter, JJ.

PER CURIAM.

Respondent-appellant appeals as of right the trial court's order terminating her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), (j), and (k)(i). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(A) and (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). Respondent-appellant was unable to provide care, custody, support, and housing for her children and did not meaningfully address her substance abuse. The principal conditions that led to the initial adjudication continued for the duration of the case and were exacerbated by respondent-appellant's continued and significant noncompliance with the treatment plan resulting in the essential abandonment of her children for seven months. The record indicates that respondent-appellant was substantially noncompliant with all of the treatment services that were offered. Respondent-appellant did not complete her drug treatment, submitted to only one drug test (positive for marijuana), did not appear for her psychological evaluation, individual therapy, or parenting classes, and did not comply with the provisions for

supervised parenting time. Although respondent-appellant claims that she had several unsupervised visits with her children, during the first year of the case, respondent-appellant had only five supervised parenting visits with them in the first five months and then no supervised visits for the following seven months before a petition for permanent custody was filed.¹ Respondent-appellant entered a residential drug treatment program for about two weeks, but then she left without completing it. Because respondent-appellant also failed to complete the treatment plan, which included parenting classes, individual counseling, supervised parenting time, and substance abuse treatment, returning respondent-appellant's children would be exposing them to a risk of harm to their physical and mental well being.

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ William B. Murphy
/s/ David H. Sawyer
/s/ Patrick M. Meter

¹ Even were we to decide that the abandonment provisions, MCL 712A.19b(3)(a)(ii) and (k)(i), are inapplicable under the facts, only one ground for termination is necessary to support the termination of parental rights. MCL 712A.19b(3); *In re Trejo Minors*, 462 Mich 341, 350; 612 NW2d 407 (2000).