

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of MARSHAWN TRAYVON  
EUGENE HUGHES and AMARIA ALICIA  
YOUNGBLOOD-JACKSON, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARCIENA GREEN,

Respondent-Appellant,

and

JOSEPH E. HUGHES,

Respondent.

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UNPUBLISHED

January 15, 2008

No. 279006

Ingham Circuit Court

Family Division

LC No. 00-066337-NA

Before: Kelly, P.J., and Cavanagh and O'Connell, JJ.

MEMORANDUM.

Respondent-appellant, Marciena Green, claims an appeal from the trial court's order terminating her parental rights to her minor children, pursuant to MCL 712A.19b(3)(b)(i), (c)(i), (g), and (j). We affirm.

There was clear and convincing evidence to support termination of respondent-appellant's parental rights pursuant to §§ 19b(3)(b)(i), (c)(i), (g), and (j). MCR 3.977; *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The children came into care after their two-month-old sibling, Aushonae, died while sleeping in a bed with respondent-appellant and Marshawn. The medical examiner concluded that the infant died from unsafe sleeping practices. Although Aushonae had several medical issues, including problems breathing, respondent-appellant did not take her to scheduled doctor appointments. When the children were removed from respondent-appellant's care, it was apparent that they had been subjected to physical and medical neglect. Investigators found old food and bottles left lying around and a soiled mattress. Marshawn, then aged three, was 20 to 30 pounds overweight. Neither child had received adequate medical care, and they both were developmentally delayed. Respondent-appellant was

offered a multitude of services. She had an extensive history of abusing marijuana as well as prescription medications. For six months after drug testing began, respondent-appellant tested positive for illicit drugs every time, and afterward she would sporadically test positive for drugs. For nearly a year, respondent-appellant did not comply in any meaningful way with the treatment plan. Then, after respondent-appellant learned that termination was the permanency plan, she began to make progress toward reunification. Despite complying with several aspects of the treatment plan, respondent-appellant never adequately addressed her substance abuse issues. Testimony established that it would be at least another six months before respondent-appellant was in a position to move toward parenting her children again. Therefore, the trial court did not clearly err when it terminated respondent-appellant's rights pursuant to MCL 712A.19b(3)(b)(i), (c)(i), (g), and (j).

Nor did the evidence show that termination of respondent-appellant's parental rights was clearly contrary to the children's best interests. *In re Trejo, supra* at 353-354. Although there was testimony that a bond existed between respondent-appellant and her children, this bond had clearly been altered by the extensive time the children had spent in foster care. Because respondent-appellant never sufficiently addressed her substance abuse issues, the children would continue to be at risk for suffering harm if returned to respondent-appellant's care.

Affirmed.

/s/ Kirsten Frank Kelly

/s/ Mark J. Cavanagh

/s/ Peter D. O'Connell