

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of AYANNA CHELICIA
KENNEDY-ZELEDON, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

GABRIELA ZELEDON,

Respondent-Appellant.

UNPUBLISHED

January 29, 2008

No. 277247

Oakland Circuit Court

Family Division

LC No. 05-710386-NA

Before: Beckering, P.J., and Sawyer and Fort Hood, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g) and (j). We affirm.

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); *In re Conley*, 216 Mich App 41, 42; 549 NW2d 353 (1996). The conditions that led to the adjudication included respondent's repeated drug use during her pregnancy and the child testing positive for cocaine at birth. Services were provided for more than a year, but respondent failed to acknowledge her issue with drugs, missed numerous drug screens, and failed to meaningfully participate in or benefit from the services offered. Contrary to what respondent argues, simply attending various counseling sessions, visits, and submitting to some drug screens was not enough to preclude termination of her parental rights. Rather, the evidence clearly established that respondent failed to achieve the principal and fundamental objective of addressing her substance abuse problem, and she failed to demonstrate a willingness and ability to care for the child.

Considering respondent's history of drug use, conduct, and lack of any meaningful engagement in substance abuse treatment, it was not reasonably likely that her circumstances would sufficiently change or improve within a reasonable time. The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence.

Also, the evidence failed to show that termination of respondent's parental rights was clearly contrary to the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). Therefore, the trial court did not err in terminating respondent's parental rights to the child. *Id.* at 356.

Affirmed.

/s/ Jane M. Beckering
/s/ David H. Sawyer
/s/ Karen M. Fort Hood