

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

---

In the Matter of ISAIAH HUGHES, Minor.

---

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

RUBY HUGHES,

Respondent-Appellant,

and

ALKAWAN ERVIN,

Respondent.

---

UNPUBLISHED

September 18, 2008

No. 283605

Muskegon Circuit Court

Family Division

LC No. 03-032453-NA

Before: Schuette, P.J., and Zahra and Owens, JJ.

MEMORANDUM.

Respondent Ruby Hughes appeals as of right following an order that terminated her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g). 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). The child originally came into care in November 2003 because of respondent's substance abuse. Respondent was compliant with her parent-agency agreement and the child was returned to her care in July 2005. A mere four months later in November 2005, the child again became a temporary ward. From November 2005 until October 2006, respondent did little to comply with her parent-agency agreement. Only after the termination petition was filed in October 2006 did she attend an inpatient drug treatment center, complete parenting classes, and secure Section 8 housing. This significant progress resulted in the withdrawal of the termination petition. Unfortunately, respondent again relapsed in July 2007, leading to the termination of her parental rights to the child.

Respondent argues on appeal that DHS did not offer enough services to address her substance abuse. However, even after a positive hair follicle test in August 2007, she adamantly denied that drug use was an issue and, instead, argued the validity of the test. It was only after

an October 10, 2007, positive screen that respondent admitted to the relapse. She had already attended Turning Point's inpatient program twice. The worker testified that she did not know of a more intensive program to offer respondent. Without being able to combat her addiction, respondent was in no position to parent the child and he could not be returned to her care.

Having found the foregoing statutory grounds for termination established by clear and convincing evidence, the trial court was obligated to terminate respondent's parental rights unless it appeared, on the whole record, that termination was clearly contrary to the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The child and respondent shared a bond and did well together during supervised visitation. There were never any allegations that respondent was improper or had anything but the child's best interests at heart. Still, the fact remained that the child had spent over half of his life in the foster care system and was entitled to permanence and stability.

Affirmed.

/s/ Bill Schuette

/s/ Brian K. Zahra

/s/ Donald S. Owens