

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of WILLOW DOUGLAS, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

VAL STOKELY,

Respondent-Appellant,

and

CHRISTINE DOUGLAS,

Respondent.

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UNPUBLISHED

October 21, 2008

No. 284124

Mecosta Circuit Court

Family Division

LC No. 06-005073-NA

Before: Markey, P.J., and Sawyer and Kelly, JJ.

PER CURIAM.

Respondent Val Stokely appeals by right the lower court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

Respondent argues that there was not clear and convincing evidence to support termination of his parental rights. MCR 3.977; *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). We disagree. Several conditions led to the adjudication, including respondent's substance abuse. At the time of the termination hearing, there was sufficient evidence from which the court could conclude that respondent had not adequately addressed his alcohol abuse. In the six months that preceded the termination hearing, respondent had a relapse that could have seriously injured or killed the minor child. Driving on a suspended license with a blood alcohol level of .24, respondent caused a motor vehicle accident. The car he was driving rolled over and landed on its hood. Although the child was properly secured in her car seat and uninjured, clearly respondent was extremely irresponsible. The trial court was not persuaded that respondent's six months of sobriety between the time of the accident and the termination hearing was sufficient to establish that he had adequately conquered his substance abuse. We cannot say the trial court clearly erred. Moreover, respondent's sobriety and regular attendance at AA meetings were significantly aided by his incarceration in the county jail for five of the six months.

In addition to respondent's alcohol abuse issues, there was also sufficient evidence from which the court could conclude that respondent was not able to obtain and maintain employment and suitable housing. Respondent's employment was sporadic and undocumented, and his mother, the child's paternal grandmother provided the housing. Respondent contends that their living with his mother in her home created a mutually benefit for him and his mother; however, the facts do not bear this out. Respondent was more or less living off his mother's social security and retirement income. Respondent's mother testified in vague terms that respondent contributed financially to the household, but when asked point blank who paid for most of the groceries, the gas, phone and the cable bills, she testified that she did. The pivotal question was whether respondent could have provided housing for himself and his child if his mother were no longer able to do so. The answer was an unequivocal no. Based upon the foregoing, the trial court did not err when it concluded that statutory grounds existed for the termination of respondent's parental rights pursuant to both MCL 712A.19b(3)(c)(i) and (g).

Additionally, there was no evidence that termination of respondent's parental rights was not in the child's best interests. Although respondent clearly loved his daughter and a bond existed, respondent could not provide proper care and custody for her because he had not adequately addressed his alcohol abuse issues and did not have suitable employment, income, or housing. Because the child was so young, it was imperative that she be placed as soon as possible in a caring, nurturing, permanent, and stable environment so that she would have the best opportunity to thrive and develop. The longer the child was required to wait for stability and permanency, the greater the risk to her continued growth and development. Therefore, the trial court did not err when it concluded that the child's best interests did not preclude termination of respondent's parental rights.

We affirm.

/s/ Jane E. Markey  
/s/ David H. Sawyer  
/s/ Kirsten Frank Kelly