

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of LARRY LEE PEARSON, JR.,  
KA'VASEAY KE-VONTAY DE-QUAN J.  
PEARSON, and ZACARIUS LE'MONTAE  
DA'RELL THORNTON, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

APRIL THORNTON,

Respondent-Appellant,

and

LARRY PEARSON, SR.,

Respondent.

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UNPUBLISHED

December 16, 2008

No. 286618

St. Clair Circuit Court

Family Division

LC No. 06-000456-NA

Before: Murray, P.J., and Markey and Wilder, JJ.

MEMORANDUM.

Respondent April Thornton appeals by right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal has been decided without oral argument pursuant to MCR 7.214(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(G); *In re Archer*, 277 Mich App 71, 73; 744 NW2d 1 (2007). Respondent was raising the children in a drug house when they were originally placed into care. Respondent participated in and completed a number of services, but she continued to allow guests to use drugs in her home while the children were present. After respondent allegedly severed her relationship with her drug-abusing boyfriend and demonstrated "the minimum standard of care" during visits, the children returned home. Within a very short time, respondent dropped out of counseling, gave up her legitimate source of income, and resumed a relationship with her former boyfriend, whose presence created a dangerous situation for the children. Consequently, the children were removed within a month of their return home.

Respondent had no insight into the reasons for the children's initial or subsequent removal and had expressed the sentiment that she was not obligated to remove them from the presence of drug users. Contrary to what respondent argues, petitioner was not required to prove that respondent would neglect her children for the long-term future as held in *Fritts v Krugh*, 354 Mich 97, 114; 92 NW2d 604 (1958), overruled on other grounds by *In re Hatcher*, 443 Mich 426, 444; 505 NW2d 834 (1993). That decision predates the enactment of § 19b(3), which now governs the criteria for termination.

Further, the evidence did not clearly show that termination of respondent's parental rights was not in the children's best interests. *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000); MCL 712A.19b(5). Thus, the trial court did not err in terminating respondent's parental rights to the children. *In re Trejo, supra* at 356-357.

We affirm.

/s/ Christopher M. Murray

/s/ Jane E. Markey

/s/ Kurtis T. Wilder