

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of NI'A MON'YA GORGY
METTAZIE GWENDOLYN KAY PRICE,
CHRISTIN ROBERT NY'ANT HONY SKY
O'MARIA LEWIS DOUGLAS PRICE,
CHRISTOPHER DAPHON ALI' BLACKMON,
NI'AZIA BRESHA LEWISAH A NIKIA SIN
PRICE, NEVA'EH NYON PRICE-CONYERS,
and DA'NIAH LASHA WILLIAMS, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

SINDY SHILO MAE-LEE STAR PRICE,

Respondent-Appellant,

and

CHRISTOPHER BLACKMON,
DWIGHT WILLIAMS, DOUGLAS SARGENT,
and ANTONIO CONYERS,

Respondents.

Before: Wilder, P.J., and Meter and Servitto, JJ.

PER CURIAM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children under 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 bases for termination of respondent's parental rights were established by clear and convincing evidence. MCR 3.977(J); *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Fried*, 266 Mich App 535, 541; 702 NW2d 192 (2005). The conditions that led to adjudication included respondent's failure to comply with services, and her history of neglect, including improper supervision,

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truancy of the children, and an unstable home. During the two years the children were in care, respondent had failed to rectify any of these conditions. Her repeated incarcerations and constant relocation prevented her from providing proper supervision or a stable home. Even after being ordered by the court to cooperate with the school and compel attendance, her children were still absent a significant amount of time. The trial court's finding that there was no reasonable likelihood that the conditions that led to adjudication would be rectified within a reasonable time given the ages of the children was not clearly erroneous.

Respondent's repeated incarcerations and evictions also evidenced her failure to provide proper care or custody for her children. At the time of trial, respondent was serving a prison sentence of 14 months to five years and would not be able to provide proper care or custody within a reasonable time given the ages of the children. Moreover, the psychological evaluation along with respondent's behaviors over the two years support the trial court's finding that she would be incapable of providing proper care or custody within a reasonable time given the ages of the children. The trial court did not clearly err in finding that this statutory basis had been established by clear and convincing evidence.

The evidence also established that, while in respondent's care, the children were dysfunctional at home and school. Once removed from her care progress was made with all of the children because they had structure, supervision, and necessary medical and psychological assistance. Respondent had no plan other than state assistance to provide for the children; she had no home or income to provide for the children in the event she was paroled. Her failure to cooperate with and benefit from services over the last two years strongly suggests that she would revert to her former lifestyle and behaviors, which in turn would result in a reversal of the progress made by the children. Accordingly, the trial court did not clearly err in finding that the children would be harmed if returned to respondent's care.

Affirmed.

/s/ Kurtis T. Wilder
/s/ Patrick M. Meter
/s/ Deborah A. Servitto