

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JORDAN CHRISTOPHER
GEVEDON, TEHYA ELAINE GEVEDON,
BRENDAN AIDAN-MICHAEL GEVEDON,
KALEB MORGAN GEVEDON, and NICHOLAS
JOSEPH GUELI V, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JESSICA COLLEEN GEVEDON,

Respondent-Appellant,

and

NICHOLAS JOSEPH GUELI IV,

Respondent.

UNPUBLISHED

April 28, 2009

No. 287592

Oakland Circuit Court

Family Division

LC No. 06-724960-NA

Before: Borrello, P.J., and Murphy and M. J. Kelly, JJ.

MEMORANDUM.

Respondent Jessica Gevedon appeals as of right the orders of the trial court terminating her parental rights to her minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).¹ 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 had been established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Fried*, 266 Mich App 535, 540-541; 702 NW2d 192 (2005). At the time of adjudication, respondent had unstable employment, insufficient income, unstable

¹ Her rights to the youngest child, Jordan, were terminated pursuant only to MCL 712A.19b(3)(g) and (j).

housing, a chaotic lifestyle, and unaddressed mental illness. At the time of termination, respondent was employed but had changed employment several times while the case was pending before the trial court, and she still lacked sufficient income to support the children as evidenced by her failure to pay the ordered child support. Respondent had also changed residences several times and still lacked independent housing. Although respondent claimed to have recognized the problems with her lifestyle, she had continued in an abusive relationship throughout much of the time that the case was pending before the trial court and did not disclose the violence and drug use of her partner. Respondent acknowledged that, after two years of the children being in care, she was not yet ready for the children to be returned to her and was not treating her previously diagnosed mental illness. The conditions that led to adjudication had not been alleviated, respondent was not ready or able to provide proper care and custody of the children, and the record strongly indicates that no child would be safe in her care.

We further find no error in the trial court's determination that termination was in the best interests of the children. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 354-357; 612 NW2d 407 (2000). We reject respondent's contention that the trial court failed to apply the revised statutory language in light of the trial court's statement that termination was in the best interest of all the children.

Affirmed.

/s/ Stephen L. Borrello
/s/ William B. Murphy
/s/ Michael J. Kelly