

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

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In the Matter of JEREMIAH SINCERE STANLEY,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TYESHA HELENE COLE,

Respondent-Appellant,

and

JERMAINE EDWARD STANLEY,

Respondent.

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UNPUBLISHED  
September 10, 2009

No. 290657  
Oakland Circuit Court  
Family Division  
LC No. 06-717037-NA

Before: O'Connell, P.J., and Talbot and Stephens, JJ.

PER CURIAM.

Respondent Tyesha Cole appeals as of right from the trial court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) [failure to alleviate the conditions that led to the adjudication], (g) [failure to provide proper care and custody], and (j) [likelihood of harm to child if returned to parent's custody]. 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 conditions that led to the child's adjudication were respondent's mental health and substance abuse issues, financial instability, and failure to maintain a home. Respondent minimally and inconsistently participated in services, and failed to follow through with critical programs. Respondent also failed to benefit from the services in which she did participate. Because of respondent's untreated mental illness, her continued lack of stability, and failure to address or accept responsibility for the issues that led to the child's removal, there was no reasonable expectation that respondent would be able to properly parent the child within a reasonable period of time, and a distinct likelihood existed that the child would be harmed if placed in respondent's custody.

Further, the trial court did not clearly err in finding that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent failed to make progress in addressing the issues that brought the child into care, and the child, who had never been in respondent's custody, was in need of stability and permanency in order to meet his special needs and to facilitate his continued growth and development. Thus, the trial court did not err in terminating respondent's parental rights to the child.

On appeal, respondent further contends that termination of her parental rights was both premature and fundamentally unfair. We note that respondent was involved with the DHS for a period of over two years and that numerous opportunities existed for respondent to comply with her parent-agency agreement, but failed to do so. Respondent asserts that the number of prosecutors and DHS workers assigned to her case resulted in confusion and inconsistency. However, respondent does not contend that the services rendered or offered were not proper and fails to identify any legal basis or factual support for her assertion that the number of workers assigned was so detrimental that it precluded or substantially interfered with her ability to participate in the proffered services.<sup>1</sup> In effect, respondent fails to acknowledge her own responsibility for her inconsistent participation in the various services provided and her lack of overall or demonstrable progress. Based on our determination that the trial court did not err in finding the existence of statutory grounds for the termination of respondent's parental rights and that the termination of these rights was in the child's best interests, respondent's claims that the termination was premature and fundamentally unfair cannot be supported.

Affirmed.

/s/ Peter D. O'Connell  
/s/ Michael J. Talbot  
/s/ Cynthia Diane Stephens

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<sup>1</sup> This Court will not search for authority to sustain or reject a party's position. *Spires v Bergman*, 276 Mich App 432, 444; 741 NW2d 523 (2007).