

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DAMIEN CORTEZ CARLISLE,
JR., and RAPHAEL PERRY RODGERS, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DAMIEN C. CARLISLE, SR.,

Respondent-Appellant,

and

AMINYA C. RODGERS, TIMOTHY COTTON,
and GERALD TURNER,

Respondents.

UNPUBLISHED

November 24, 2009

No. 292512

Wayne Circuit Court

Family Division

LC No. 04-426467

Before: Gleicher, P.J., and Fitzgerald and Wilder, JJ.

MEMORANDUM.

Respondent Damien Carlisle, Sr., appeals as of right from a circuit court order terminating his parental rights to Damien Carlisle, Jr., pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). 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(G); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). The child came into care at birth in October 2007 because respondent was unable to care for him due to a substance abuse problem. Apart from visiting the child, respondent did nothing to prepare himself to assume custody during the child's first year in foster care. Respondent thereafter began substance abuse treatment, but continued to use drugs. At the time of the termination hearing in May 2009, respondent had been sober for only three months and had not yet completed substance abuse treatment. At the time of the supplemental termination hearing in June 2009, respondent agreed that he was unable and unwilling to parent the child. He offered his grandparents, sister, and aunts as permanent caretakers, and stated that his permanent plan was to have day visits with the child.

Further, considering that the child had been in foster care his whole life and that respondent had made little progress toward being able to provide proper care and custody for the child, 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, supra* at 356-357.

Affirmed.

/s/ Elizabeth L. Gleicher

/s/ E. Thomas Fitzgerald

/s/ Kurtis T. Wilder