

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of T.M.R., Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TYRONE ROBINSON,

Respondent-Appellant.

UNPUBLISHED

January 19, 2010

No. 292735

Muskegon Circuit Court

Family Division

LC No. 08-037235-NA

Before: K. F. Kelly, P.J., and Hoekstra and Whitbeck, JJ.

MEMORANDUM.

Respondent Tyrone Robinson appeals as of right the trial court's order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(ii), (g), and (j). We affirm.

On appeal, respondent argues that clear and convincing evidence did not support the trial court's finding that statutory grounds for termination existed. We disagree. We review the trial court's factual findings in a termination proceeding for clear error. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Here, respondent continually failed to comply with the court ordered treatment plan. He consistently refused to submit to court ordered drug screens and continued to test positive for drugs as recently as May 12, 2009. Although respondent attended substance abuse treatment, he failed to make progress because he refused to admit to his substance abuse issues. Moreover, respondent continued to maintain a relationship, and live with, the child's mother who also had a substance abuse problem and had relinquished her parental rights to the child. Given the foregoing, the trial court did not err in finding that the conditions that caused the child to come within the court's jurisdiction had not been rectified by respondent, despite being given a reasonable opportunity to do so, and that these conditions would not be cured within a reasonable time considering the child's age. See MCL 712A.19b(3)(c)(ii). Because clear and convincing evidence supported at least one of the statutory grounds for termination, we need not consider the trial court's findings with regard to the other grounds for termination.

We also conclude, contrary to respondent's contention, that the trial court did not err in finding that termination of respondent's parental rights was in the child's best interests. MCL 712A.19(b)(5). While the evidence showed that respondent had developed a bond with the child,

it was uncontested that respondent continued to abuse drugs and remained in a relationship with the child's mother.

Affirmed.

/s/ Kirsten Frank Kelly
/s/ Joel P. Hoekstra
/s/ William C. Whitbeck