

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
June 12, 2012

In the Matter of P. J. WILLIS, Minor.

No. 307635
Kent Circuit Court
Family Division
LC No. 11-050791-NA

Before: BORRELLO, P.J., and O'CONNELL and TALBOT, JJ.

MEMORANDUM.

Emmita Willis-Harris appeals as of right from a circuit court order terminating her parental rights to the minor child.¹ We affirm.

Willis-Harris does not challenge the trial court's determination regarding the statutory grounds for termination. She argues only that the trial court's decision to terminate her parental rights was not in the child's best interests.² We disagree. We review the trial court's best interests decision for clear error.³

The evidence demonstrated that Willis-Harris has a long-standing substance abuse problem that caused her to prostitute one child and led to the termination of her parental rights to that child and two other children. Nevertheless, Willis-Harris continued to use drugs and used them during her pregnancy with the present child. The child tested positive for cocaine at birth and suffered significant withdrawal symptoms. Willis-Harris had an opportunity to obtain inpatient substance abuse treatment to avoid a parole violation charge, but failed to take advantage of that opportunity and was returned to prison for at least two years. Because of her incarceration, Willis-Harris had not seen the child since shortly after birth. The child was doing well in her foster home and had bonded to her foster family. Accordingly, the trial court did not

¹ MCL 712A.19b(3)(g) (failure to provide proper care or custody), (i) (the parent's rights to the child's sibling(s) have been terminated due to serious and chronic neglect), and (l) (the parent's rights to another child were terminated after child protective proceedings were initiated).

² MCL 712A.19b(5); MCR 3.977(E)(4).

³ *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); MCR 3.977(K).

clearly err in finding that termination of Willis-Harris' parental rights was in the child's best interests.⁴

Affirmed.

/s/ Stephen L. Borrello

/s/ Peter D. O'Connell

/s/ Michael J. Talbot

⁴ MCL 712A.19b(5); MCR 3.977(E)(4).