

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
October 16, 2012

In the Matter of COLLINS, Minors.

No. 309574
Muskegon Circuit Court
Family Division
LC No. 10-039908-NA

Before: SAAD, P.J., and WHITBECK and M. J. KELLY, JJ.

PER CURIAM.

Respondent father appeals by right the trial court's order terminating his parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (n). Because we conclude that there were no errors warranting relief, we affirm.

The trial court did not clearly err in finding that the grounds for termination provided under MCL 712A.19b(3)(c)(i) was established by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

The principal conditions that led to adjudication were respondent's failure to provide a fit home and his criminality. During the 18 months that the case was open, respondent was incarcerated for all but six months. During those six months, respondent failed to obtain stable housing and continued his criminal behavior. He was convicted of a probation violation and sentenced to serve another 21 months to six years in prison. He was also charged with and pleaded no contest to larceny in a building. His earliest release date from prison is in June 2013. On this record, there was clear and convincing evidence that the conditions that led to adjudication remained and there was no reasonable likelihood that they would be rectified within a reasonable time considering the children's ages. MCL 712A.19b(3)(c)(i).

Respondent also challenges the trial court's finding that there was clear and convincing evidence to support the termination of his rights under MCL 712A.19b(3)(a)(ii), (n), and (g). However, we need not address those claims of error. Because the trial court properly found that termination was warranted under MCL 712A.19b(3)(c)(i), any error with respect to these additional statutory grounds would be harmless. *In re Powers Minors*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

Further, the evidence established that termination of respondent's parental rights was in the minors' best interests. MCL 712A.19b(5). The evidence showed that respondent was unable

to care for the children. He had not seen one child at all and he had not seen the other in nine months. The children needed permanency and were doing well in their placement.

There were no errors warranting relief.

Affirmed.

/s/ Henry William Saad
/s/ William C. Whitbeck
/s/ Michael J. Kelly