

ARKANSAS COURT OF APPEALS

DIVISION I
No. CA08-670

VERONICA SIMONE-LEWIS and
RONALD WAYNE MILLIGAN, SR.
APPELLANTS

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES and R.M., MINOR
CHILD

APPELLEES

Opinion Delivered DECEMBER 17, 2008

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT,
[NO. JN2006-1862]

HONORABLE RITA W. GRUBER,
JUDGE

AFFIRMED

ROBERT J. GLADWIN, Judge

Appellants Veronica Simone-Lewis and Ronald Milligan appeal from the termination of their parental rights in R.M. We affirm.

When Ms. Simone-Lewis gave birth to R.M. on September 3, 2006, both mother and child had methamphetamine, amphetamine, and benzodiazepine in their systems. Ms. Simone-Lewis also had THC in her system and admitted using drugs during her pregnancy. She and R.M. are positive for hepatitis C. R.M. is her fifth child; she has relinquished either parental rights to or custody of the other four children. DHS took custody of R.M. when he was less than two weeks old. On November 8, 2006, Ms. Simone-Lewis left court-ordered residential drug treatment after only a few days and absconded with R.M., who was not recovered by DHS until January 31, 2007. Ms. Simone-Lewis was incarcerated on a forgery charge from February 6, 2007, through July 31, 2007. Mr. Milligan also has a drug problem of long standing

and tested positive for amphetamine and methamphetamine three days after R.M.'s birth. Although DHS provided extensive reunification services, appellants failed to address their drug problems until very late in the proceeding.

At the time of the termination hearing on January 9, 2008, the trial court ordered home evaluations of Ms. Simone-Lewis's sister and Mr. Milligan's cousin. After conducting a home study, DHS did not recommend that the child be placed with Mr. Milligan's cousin. DHS attempted to perform a home study on Ms. Simone-Lewis's sister, but she was unwilling to take the child unless appellants' parental rights were terminated. At the continued termination hearing on February 20, 2008, Dr. George DeRoeck, who performed psychological evaluations on appellants, testified that neither parent was capable of independently taking care of a child and that both needed to complete rehabilitation.

Appellants challenge the sufficiency of the evidence as to R.M.'s best interest and grounds for termination and assert that the trial court should have placed him with a relative instead of terminating their parental rights. Having determined that the trial court did not clearly err in finding that termination was in R.M.'s best interest; that at least one statutory ground for termination was proven; and that the court did not err in refusing to place the child with a relative, we affirm by memorandum opinion. The trial court's thoroughly-detailed opinion more than adequately explains the decision. *See In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Affirmed.

PITTMAN, C.J. and GLOVER, J., agree.