

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ROBERT BUGAY, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHELE BUGAY,

Respondent-Appellant,

and

JOSHUA PARKER,

Respondent.

Before: Neff, P.J., and White and D. A. Teeple*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the order of the juvenile court terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (c)(ii) and (g); MSA 27.3178(598.19b)(3)(c)(i), (c)(ii) and (g). This case is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997). The court made it clear to respondent-appellant, on at least four occasions, that she must stay away from Jamie Barksdale if she wanted to retain custody of her son. The juvenile court did not clearly err in finding that Barksdale had not changed and was still a threat to

* Circuit judge, sitting on the Court of Appeals by assignment.

the minor child. Respondent-appellant's argument that she

should have been provided with vocational counseling or financial aid is flawed, because respondent-appellant's task was to avoid Barksdale immediately, and further, the record indicates that she did not follow through on getting vocational training after her initial discussion with a social worker. In any event, it was not reasonably likely that education or training would have made respondent-appellant independent of Barksdale within a reasonable amount of time.

Finally, the juvenile court did not err in finding that any positive relationship between respondent-appellant and the child was outweighed by the risk of respondent-appellant's continued relationship with Barksdale. Respondent-appellant failed to show that termination of her parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5). Thus, the juvenile court did not err in terminating respondent-appellant's parental rights. *In re Hall-Smith, supra*.

Affirmed.

/s/ Janet T. Neff

/s/ Helene N. White

/s/ Donald A. Teeple