STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of LATASHA RENEE REESE, LEE ANDREW REESE, LARECO DEANTHONY REESE, and LAMAR DIAZ REESE, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LEE ANDREW JOHNSON,

Respondent-Appellant,

and

LATASHA RENEE REESE,

Respondent.

UNPUBLISHED
February 16, 2001

No. 224258
Wayne Circuit Court
Family Division
LC No. 97-351877

Before: Whitbeck, P.J., and Murphy and Cooper, JJ.

PER CURIAM.

Respondent-appellant (respondent) appeals as of right from the family court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

The four minor children were made temporary wards of the court on April 25, 1997, due to the mother's extensive history of drug addiction. The youngest child, born 12/10/1996, tested positive for cocaine and went through severe withdrawal symptoms at birth. Respondent was the noncustodial father who did, in fact, visit and help care for the children. On July 15, 1997, three of the oldest children were placed in respondent's home on extended visitation status, while the infant child was placed with the maternal grandmother.

Approximately seven months later, the children were removed from the home and placed back with the grandmother after respondent tested positive for cocaine, marijuana and alcohol. Respondent's parenting time was suspended until he was in full compliance with a parent/agency

treatment agreement. Although the respondent did make some effort to comply with the plan for the return of the children by attending parenting classes and obtaining suitable housing and employment, he continued to test positive for illegal substances.

A full year later, respondent lost parenting time with the children because he was still not in compliance with the plan. In May 1999, the court ordered that respondent would not receive any parenting time until he submitted four clean drug screens and the clean screens were ongoing. By the time of the termination hearing on October 19, 1999, respondent had not seen his children for eight months because he failed to comply with the drug screening. The referee found that respondent's drug involvement was long standing and serious and that he had evidenced no commitment to a drug treatment program on a consistent basis.

Respondent argues that his substance abuse problem did not interfere with his ability to parent the children. The record demonstrates to the contrary. Respondent was aware that the mother used crack cocaine and yet he initially denied paternity of the children and allowed them to live in a drug environment. Furthermore, respondent was aware the mother was pregnant with his child when she used cocaine. The referee found that the children had long-term physical, emotional, financial, and psychological needs that required a permanent plan for their welfare and consequently terminated respondent's parental rights.

In an appeal from an order terminating parental rights, the trial court's findings of fact are reviewed for clear error. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Vasquez*, 199 Mich App 44, 51; 501 NW2d 231 (1993). A finding of fact is clearly erroneous if, the reviewing court is left with the definite and firm conviction that a mistake has been made. *In re Miller*, *supra*; *In re Vasquez*, *supra*. Consistent with this standard, the trial court must be afforded deference in its assessment of the credibility of the witnesses. *In re Newman*, 189 Mich App 61, 65; 472 NW2d 38 (1991), lv den 439 Mich 918 (1992). Once the trial court finds at least one statutory ground for termination by clear and convincing evidence, the court must issue an order terminating parental rights unless clear evidence exists, on the whole record, that termination is not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000).

The family court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, *supra* at 337. Further, the evidence did not establish that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, *supra* at 356-357. Thus, the family court did not err in terminating respondent's parental rights to the children. *Id.*

Affirmed.

/s/ William C. Whitbeck
/s/ William B. Murphy
/s/ Jessica R. Cooper