

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of NMB, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

MICHELLE BINION,

Respondent-Appellant,

and

DWIGHT DINKY, a/k/a DWIGHT
FITZPATRICK.

Respondent.

UNPUBLISHED
December 7, 2001

No. 231315
Wayne Circuit Court
Family Division
LC No. 98-362283

Before: White, P.J., and Talbot and E.R. Post*, JJ.

MEMORANDUM.

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

The trial 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*, 433 Mich 331, 337; 445 NW2d 161 (1989). Although respondent did her best to demonstrate an ability to properly care for her son, due to her limitations she was unable to do so. Further, the evidence did not show that termination of respondent's parental rights was clearly not in the best interests of the child. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The trial court therefore did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Helene N. White
/s/ Michael J. Talbot
/s/ Edward R. Post