

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TIERA SHANESE WILSON,
DELANO MARTISSE WRIGHT, and DEANTE
MATTHEW WRIGHT, Minors.

FAMILY INDEPENDENCE AGENCY,
Petitioner-Appellee,

v

ANDREA WRIGHT,

Respondent-Appellant,

and

STERLING WILSON and RALPH LINDSEY,

Respondents.

UNPUBLISHED
February 26, 2002

No. 232350
Wayne Circuit Court
Family Division
LC No. 00-388468

Before: Smolenski, P.J., and Doctoroff and Owens, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating her parental rights to the children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j).¹ We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from

¹ The trial court's order also terminated the parental rights of respondents Sterling Wilson and Ralph Lindsey, the putative fathers of the children. Wilson and Lindsey have not appealed the trial court's order.

evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341; 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's interests for clear error. *Id.*, 356-357.

We hold that the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination. Petitioner initiated this action after two of the children were found in respondent's unkempt home in the care of strangers. The home had no electricity, the children were extremely dirty, and the youngest child was ill and malnourished. Respondent's whereabouts were unknown. After the children became temporary wards of the court, respondent did not visit them for more than four months. She provided no financial support for the children during that time. Respondent made little if any attempt to comply with the treatment plan provided to her, in spite of being given an extended opportunity to do so. Respondent did not appear for the final phase of the permanent custody hearing. The trial court did not clearly err in finding that termination of respondent's parental rights was warranted on the grounds of desertion, MCL 712A.19b(3)(a)(ii), that respondent failed to provide proper care or custody, and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g), and that it was reasonably likely the children would be harmed if returned to respondent's care, MCL 712A.19b(3)(j). The evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCR 5.974(I); *Trejo, supra*.

Affirmed.

/s/ Michael R. Smolenski
/s/ Martin M. Doctoroff
/s/ Donald S. Owens