

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of JC, SC, and VCL, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

YVONNE CURTIS,

Respondent-Appellant,

and

EMMANUEL CABINE and KEVIN FORD,

Respondents.

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UNPUBLISHED

March 8, 2002

No. 233713

Genesee Circuit Court

Family Division

LC No. 97-109250-NA

Before: Bandstra, P.J., and Murphy and Murray, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating her parental rights to the minor children under MCL 712A.19b(3)(b), (c), (g), and (j). We affirm.<sup>1</sup>

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours Minors*, 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 evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.*, 356-357.

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<sup>1</sup> The trial court's order also terminated the parental rights of respondents Emmanuel Cabine and Kevin Ford, the putative fathers of two of the minor children. Cabine and Ford have not appealed the trial court's order.

We hold the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination. Petitioner initiated this action after the children received various injuries, including burns. After the children were taken into foster care, one child reported that respondent threatened him with serious physical harm because she was angry with him. The evidence clearly established it was reasonably likely the children would suffer further physical injury if returned to respondent's care. MCL 712A.19b(3)(b)(i) and (j). Respondent's longstanding substance abuse problem, including abuse of cocaine, marijuana, and alcohol, also led petitioner to seek custody of the children. The evidence showed respondent's attempts to address the problem were sporadic and largely unsuccessful, and it was not reasonably likely that the condition would be rectified within a reasonable time considering the children's ages. MCL 712A.19b(3)(c)(i). In addition, petitioner presented clear and convincing evidence respondent failed to provide proper care and custody for the children, and there was no reasonable expectation that she would be able to do so within a reasonable time considering the children's ages. MCL 712A.19b(3)(g). Finally, the evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *Trejo, supra*.

We affirm.

/s/ Richard A. Bandstra  
/s/ William B. Murphy  
/s/ Christopher M. Murray