

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of K.I.S-C. and K.E.S-C., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

ORLANDO CAMPOS,

Respondent-Appellant.

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UNPUBLISHED

December 13, 2002

No. 239917

Wayne Circuit Court

Family Division

LC No. 93-305821

Before: Griffin, P.J., and White and Murray, JJ.

MEMORANDUM.

Respondent appeals by delayed leave granted the order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

In order to terminate parental rights, the trial court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1993). This Court reviews the trial court's findings of fact under the clearly erroneous standard. MCR 5.974(I); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Under this standard, the trial court's decision must strike the reviewing court as "more than just maybe or probably wrong." *Trejo, supra* at 356, quoting *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999).

The evidence established that respondent visited the children only sporadically and made little effort to interact with them during visits. Additionally, he had a lengthy criminal history involving drug-related offenses and he failed to submit to either a substance abuse assessment or weekly drug screens. He has been incarcerated several times, including twice during the children's temporary wardship. Another criminal charge for carrying a concealed weapon was pending against him at the time of the termination hearing. He worked only one week after being released from prison in 2000. Although he received disability payments through workers' compensation, the children's mother testified that he was unwilling to use this money to support the family. This evidence clearly and convincingly established that the conditions that led to adjudication (specifically, respondent's incarcerations) continued to exist and respondent failed to provide proper care and custody and could not reasonably be expected to do so within a

reasonable time. The trial court did not clearly err in finding that grounds for termination were established under §§ 19b(3)(c)(i) and (g).

Affirmed.

/s/ Richard Allen Griffin

/s/ Helene N. White

/s/ Christopher M. Murray