

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ROGER EUGENE III and MISTY
RAY MARIE JOHNSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ROGER E. JOHNSON II,

Respondent-Appellant,

and

STEPHANIE MOORE, a/k/a STEPHANIE
MARLENE MOORE,

Respondent.

UNPUBLISHED
November 25, 2003

No. 245035
Wayne Circuit Court
Family Division
LC No. 00-392071

Before: Cooper, P.J., and Markey and Meter, JJ.

MEMORANDUM.

Respondent-appellant appeals by right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(A) and (E)(1)(b).

The trial court did not clearly err in finding the statutory grounds for termination of parental rights established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent-appellant had been incarcerated for domestic violence involving with respondent mother, and the family had been evicted from their home. While respondent-appellant did attend domestic violence classes, he derived insufficient benefit from them and was described as "putting in time and trying to get away with as little as possible." The evidence further showed that during the two-year history of the case, respondent-appellant continued to abuse drugs and failed to seek treatment. He provided cocaine to the mother while the case was pending and repeatedly evaded the court-ordered weekly random drug screens. A screen ordered by the court tested positive for

marijuana and cocaine. Moreover, respondent-appellant had an extensive criminal history and was convicted of weapons offenses and incarcerated again while the case was pending. Based upon the record, we find no clear error in the trial court's determination regarding subsections (3)(c)(i), (g), and (j).

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly contrary to the children's best interests. The children were very young when placed into temporary foster care. Although respondent-appellant loved the children and the foster care worker indicated they were bonded to him, respondent-appellant cannot provide the safe, stable, loving home they need. Because the evidence satisfied the statutory standards and we find no clear error in the trial court's best interests determination, we affirm.

We affirm.

/s/ Jessica R. Cooper

/s/ Jane E. Markey

/s/ Patrick M. Meter