

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TRAYSHAWN DEJUAN SMITH,
SHAWNNETTA MARCHELLE SMITH, and
SHAWNDEL JEREMIAH SMITH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TANGELYN RACHELLE SMITH,

Respondent-Appellant,

and

SHAWN WILLIAMS,

Respondent.

UNPUBLISHED
December 18, 2003

No. 245747
Wayne Circuit Court
Family Division
LC No. 86-254872

Before: Fitzgerald, P.J., and Neff and White, JJ.

MEMORANDUM.

Respondent-appellant appeals by delayed leave granted from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (k)(i). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were proven by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). The primary condition leading to adjudication was respondent-appellant's failure to provide safe and suitable housing for the children. The evidence established that respondent-appellant was unable to obtain and maintain suitable housing or employment. She also did not timely follow through with significant aspects of her court-ordered treatment plan in the areas of parenting skills and counseling. Previously, respondent-appellant's rights to six of her nine children were terminated or released. The grounds for termination regarding at least one of these children, Shawntasia Smith, included abandonment.

Further, the evidence did not establish that termination of respondent-appellant's parental rights was clearly not in the best interests of the children. MCL 712A.19b(5); *Trejo, supra* at 356-357. Although the children were bonded with their mother, her continued failure to obtain appropriate housing and a legal source of income caused the children uncertainty over their future. Additionally, the evidence showed that respondent-appellant would not become ready within a reasonable time considering the children's ages to provide proper care and custody. The children need a permanent, safe, and stable home, which respondent-appellant cannot provide. Thus, the trial court did not err in terminating respondent-appellant's parental rights.

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Janet T. Neff

/s/ Helene N. White