

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of HAYLEE JEAN PRESTON,
MELANIE ANN PRESTON, and ERIC WAYNE
PRESTON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SUZANNE L. PRESTON,

Respondent-Appellant.

UNPUBLISHED

April 20, 2004

No. 249523

Macomb Circuit Court

Family Division

LC No. 97-044848-NA

Before: Cavanagh, P.J., and Murphy and Smolenski, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order's terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i). We affirm.

The trial court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal conditions that led to adjudication were respondent's substance abuse, mental health condition and poor parenting skills. The evidence established that respondent was in denial with regard to both her substance abuse and mental health problems, minimized the role these problems played in her past physical and verbal abuse of the children, and did not internalize and apply skills taught in her parenting classes. The evidence also indicated that respondent failed to remain sober as required by the parent-agency agreement as at least one-quarter of her drug screens were diluted and suspicious, and she failed a breathalyzer test.

Further, 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); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although there was testimony that respondent felt empathy toward her children, other testimony indicated that the children's behavior regressed after visitations, that they did not express a desire for reunification with respondent, and that they were thriving in

their current placements. Thus, we find that the trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Mark J. Cavanagh
/s/ William B. Murphy
/s/ Michael R. Smolenski