

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ERICA TAYLOR, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CHRISTOPHER ARNEZ TAYLOR,

Respondent-Appellant,

and

TIARA NICKERSON,

Respondent.

UNPUBLISHED

June 17, 2004

No. 252297

Kent Circuit Court

Family Division

LC No. 02-002664

Before: Sawyer, P.J., and Gage and Owens, JJ.

MEMORANDUM.

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

The trial court did not clearly err in determining that at least one of the statutory grounds for termination of parental rights was established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence did not establish §19b(3)(a)(ii) because respondent-appellant made some minimal effort to seek custody of the child.

However, the evidence did show that respondent-appellant's parental rights to two other daughters had been terminated previously because of his failure to follow through with services. In the present case, respondent-appellant made some attempts to contact the agency, but in one year's time he never attended an appointment to establish a treatment plan and, therefore, made no progress on a plan to become a suitable parent for the child. Respondent-appellant had not rectified his life-long probation for delivery of cocaine, but rather violated his probation within the first year, indicating that he was unlikely to rectify that condition within a reasonable time.

He had never provided care or custody for the child, and there was no reasonable likelihood that he would be able to do so within a reasonable time given the lack of interest in being a parent evidenced by his prior terminations and lack of effort in this case.

Additionally, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent-appellant had not seen the minor child for nine months, since she was five months old, and there was no evidence of any bond between them. Respondent-appellant was unprepared to parent her, and there was no reasonable likelihood that he would be prepared within a reasonable time. There was no evidence that termination of respondent-appellant's parental rights was clearly contrary to the child's best interests, and the trial court did not err in finding that termination was actually in the child's best interests.

Affirmed.

/s/ David H. Sawyer

/s/ Hilda R. Gage

/s/ Donald S. Owens