STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of ANGELA LATONSHA PATTERSON-LEWIS, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

SHIRLEY ANN PATTERSON,

Respondent-Appellant.

UNPUBLISHED
January 5, 2006

No. 265446
Saginaw Circuit Court
Family Division
LC No. 05-029824-NA

Before: O'Connell, P.J., and Smolenski and Talbot, JJ.

PER CURIAM.

Respondent appeals as of right from the trial court's order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(i) and (l). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

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 established by clear and convincing evidence. *In re Sours*, 459 Mich 624, 632-633; 593 NW2d 520 (1999). If the court determines that a statutory ground for termination has been established, the court must terminate parental rights unless there exists clear evidence on the whole record that termination is not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). We review the trial court's decision for clear error. *Trejo, supra* at 356-357.

Respondent challenges the trial court's "best interest" determination. Respondent does not contest the trial court's findings with respect to the statutory grounds for termination. There is no dispute that respondent's parental rights to several other children were previously terminated.

The trial court did not clearly err in its best interest analysis. At the termination hearing, respondent admitted that if she were to take a drug screen, it would be positive for marijuana and crack cocaine. She had been in many treatment programs, but failed and regressed with each one. She had no income, no money, and no identification. Although she had been in Saginaw for nine or ten months, she was not looking for employment because she did not plan on staying there. She was living with her siblings, "house-to-house," taking turns. Respondent did not

advise petitioner of her address or call the caseworker, explaining, "I don't want to be bothered with her . . . ." Respondent believed that having the child with her would be best for the child "because I'm her mother." In light of respondent's substance abuse, lack of income, unstable housing, and unwillingness to cooperate with treatment plans and other assistance, the evidence did not show that termination of respondent's parental rights was clearly contrary to the child's best interests.

Respondent asserts that to be able to use prior terminations of parental rights "over and over again violates her Due Process rights under the Fourteenth Amendment." However, this argument is not properly before us because it was not included in the statement of the questions presented, MCR 7.212(C)(5); *Preston v Dep't of Treasury*, 190 Mich App 491, 498; 476 NW2d 455 (1991), and was given only cursory treatment in respondent's appellate brief. *Mudge v Macomb Co*, 458 Mich 87, 105; 580 NW2d 845 (1998). Therefore, we do not consider it.

Affirmed.

/s/ Peter D. O'Connell
/s/ Michael R. Smolenski
/s/ Michael J. Talbot