

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of VIOLET SANES, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MELODY SANES,

Respondent-Appellant.

UNPUBLISHED

August 21, 2008

No. 284007

Muskegon Circuit Court

Family Division

LC No. 99-028120-NA

Before: Cavanagh, P.J., and Jansen and Kelly, JJ.

MEMORANDUM.

Respondent appeals by right the family court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g) and (l). We affirm. This appeal has been decided without oral argument. MCR 7.214(E).

Respondent does not argue that petitioner failed to establish the statutory grounds for termination by clear and convincing evidence. Rather, respondent merely argues that termination was clearly contrary to the minor child's best interests. We disagree.

The evidence did not show that termination of respondent's parental rights was clearly contrary to the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). Respondent's other children had come into care in part due to respondent's substance abuse issues and criminal behavior. Respondent, who was on probation in another state, brought the child to Michigan, a place where she had no home and no prospects. She resorted to crime to earn money and was arrested. Respondent had the child with her when she committed the criminal offense at issue, and was found to be in possession of marijuana as well. The family court did not clearly err by terminating respondent's parental rights to the child. MCR 3.977(J); *In re Trejo*, *supra* at 356-357.

Affirmed.

/s/ Mark J. Cavanagh

/s/ Kathleen Jansen

/s/ Kirsten Frank Kelly