

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ELIZABETH GIBSON, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

GREGORY GIBSON,

Respondent-Appellant,

and

BRANDY RAMEY,

Respondent.

UNPUBLISHED

November 10, 2009

No. 291977

Jackson Circuit Court

Family Division

LC No. 08-001733-NA

Before: Stephens, P.J., and Cavanagh and Owens, JJ.

MEMORANDUM.

Respondent Gregory Gibson appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(g) and (j). We affirm. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

The circuit court did not clearly err in finding that § 19b(3)(g) was established by clear and convincing evidence. MCR 3.977(G); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). The child was born to a drug-addicted mother who was not a fit custodian. Respondent was unable to provide proper care or custody because he was incarcerated when the child was born and he made no arrangements to have his mother or another responsible person take custody of the child. At the time the supplemental petition was filed, respondent was serving a prison sentence and would not be eligible for parole for approximately two years.

Further, considering that the child had no bond with respondent, whom she had never met, and that respondent was serving a prison sentence and would not be eligible for parole until 2011, the trial court did not clearly err in finding that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 356-357.

Affirmed.

/s/ Cynthia Diane Stephens

/s/ Mark J. Cavanagh

/s/ Donald S. Owens