

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of N.L.N., Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

YOLANDA NORELLO,

Respondent-Appellant.

UNPUBLISHED

December 22, 2009

No. 292058

Wayne Circuit Court

Family Division

LC No. 04-427462-NA

Before: K. F. Kelly, P.J., and Hoekstra and Whitbeck, JJ.

MEMORANDUM.

Respondent Yolanda Norello appeals as of right the trial court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(g), (i), (j), and (l). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). Petitioner was not required to make reasonable efforts to reunify respondent and the minor child, where the permanency plan was adoption. Specifically, under MCL 712A.19a(2)(c), reasonable efforts are not required where the parent's rights to the child's siblings were involuntarily terminated. Here, respondent's rights to the minor child's three half-siblings were involuntarily terminated. This Court affirmed the termination of her rights to the youngest half-sibling. *In re Fugaban*, unpublished memorandum opinion of the Court of Appeals, issued October 16, 2007 (Docket No. 276660). Moreover, respondent was incarcerated during the pendency of the case and thus would have been unable to participate in services.

Respondent also suggests that petitioner did not sustain its burden of proof regarding the minor child's best interests. The record shows otherwise. As the trial court found, respondent had no bond with the minor child, and her failure to make progress regarding substance abuse and her unstable lifestyle with the other children indicated that she would be unable to provide a proper home for the minor child within a reasonable time. See *In re AH*, 245 Mich App 77, 84; 627 NW2d 33 (2001). Consequently, termination of respondent's parental rights was clearly in the minor child's best interests. MCL 712A.19b(5).

Affirmed.

/s/ Kirsten Frank Kelly
/s/ Joel P. Hoekstra
/s/ William C. Whitbeck