

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
August 11, 2011

In the Matter of J. L. EDMONDS, Minor.

No. 303068
St. Clair Circuit Court
Family Division
LC No. 10-000036-NA

Before: CAVANAGH, P.J., and WILDER and OWENS, JJ.

MEMORANDUM.

Respondent C. Rohn 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.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. See MCR 3.977(H)(3)(a) and (K); *In re Trejo*, 462 Mich 341, 355-357; 612 NW2d 407 (2000). The evidence showed that when respondent learned that the child was living in a home with a sexual predator, he did not remove the child from the home or make other living arrangements for her. After respondent was informed that the child was in foster care, he did nothing to establish paternity or take an active interest in the case because he had outstanding bench warrants. He did not engage in services to address his alcohol abuse problem or otherwise demonstrate an ability to be a full-time parent to the child. By the time of the hearing, which was held more than a year after the child had entered foster care, respondent was serving a prison sentence and would not be released for at least 14 months. This evidence supports the trial court's determination that termination was warranted under § 19b(3)(g).

In addition, the evidence showed that respondent had a serious drinking problem and had contacted the child while intoxicated, which led to the suspension of his visitation privileges. Respondent never addressed his alcohol abuse issue and had risked his life and the lives of others by driving while intoxicated on more than one occasion. At the time of the hearing, he was serving a prison sentence for OUIL (third offense). The trial court did not clearly err in finding that this evidence also supported termination of respondent's parental rights under § 19b(3)(j).

Lastly, considering that respondent had never demonstrated an ability or willingness to be a full-time parent to the child, and maintained only sporadic contact with the child while the case was pending, 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); MCR 3.977(H)(3)(b).

Accordingly, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Mark J. Cavanagh

/s/ Kurtis T. Wilder

/s/ Donald S. Owens