

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
October 20, 2011

In the Matter of C. S. TURNER, Minor.

No. 303187
Oakland Circuit Court
Family Division
LC No. 2010-771597-NA

Before: FORT HOOD, P.J., and HOEKSTRA and METER, JJ.

PER CURIAM.

Respondent A. Waters appeals as of right from a circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g), (j), and (l). We affirm.

Although respondent argues that the trial court erred in finding that the statutory grounds for termination were established by clear and convincing evidence, she does not dispute that her parental rights to another child were previously involuntarily terminated in 2007 following the initiation of child protective proceedings. That evidence alone supports termination under § 19b(3)(l). See *In re Utrera*, 281 Mich App 1, 16-17; 761 NW2d 253 (2008) and MCR 3.977(E)(3); see also MCR 3.977(K) (discussing the standard of review). While respondent asserts that the ultimate decision whether to order termination under this or any other ground is permissive in light of the word “may” in MCL MCL 712A.19b(3), that does not change the fact that the trial court did not clearly err in finding that the requirements of § 19b(3)(l) were proven by clear and convincing evidence. Because the trial court’s decision may be upheld on the basis of § 19b(3)(l) alone, see, e.g., *In re CR*, 250 Mich App 185, 207; 646 NW2d 506 (2002), it is unnecessary to consider whether termination was also warranted under §§ 19b(3)(g) and (j). Further, because of the prior involuntary termination, petitioner was not required to provide respondent with rehabilitative services before pursuing termination in this case. MCL 712A.19a(2)(c).

The trial court also 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(K); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The evidence showed that respondent was not prepared to raise a child. She did not have provisions for the child when he was born, she was living with friends, and she had no source of income. There was no evidence of any emotional ties between respondent and the child. There was no basis for concluding that termination was contrary to the child’s best interests. Therefore, the trial court did not err in terminating respondent’s parental rights to the child.

Affirmed.

/s/ Karen M. Fort Hood

/s/ Joel P. Hoekstra

/s/ Patrick M. Meter