

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
March 7, 2013

In the Matter of C. TOWN, Minor.

No. 310658
Jackson Circuit Court
Family Division
LC No. 12-000107-NA

AFTER REMAND

Before: BORRELLO, P.J., and FITZGERALD and OWENS, JJ.

MEMORANDUM.

We previously affirmed the order of the trial court holding that there existed at least one statutory ground supporting termination of respondent father's parental rights, but remanded for further consideration of the child's best interests because there was no evidence that the trial court considered the child's placement with a relative in determining whether termination of respondent's parental rights was in the child's best interests as required by *In re Mays*, 490 Mich 993; 807 NW2d 307 (2012).¹ The trial court held a hearing on January 16 and 17, 2013, and made factual findings on the record in accordance with *In re Mason*, 486 Mich 142; 782 NW2d 747 (2010). Based on the trial court's findings from the hearing, we affirm the termination of parental rights.

The trial court incorporated by reference its previous best interest determination, including the fact that respondent sexually offended another young child, the lack of a bond between the child and respondent, and the fact this his earliest release date is in 2018. The court also noted the child's interest in permanency, stability, and finality. Additionally, the court considered the factors articulated in *In re Olive/Metts*, 297 Mich App 35, 42, 823 NW2d 144 (2012), and also explicitly considered the child's current placement with her maternal great aunt. After careful review, the trial court decided that termination was in the child's best interests. We

¹ *In re C. Town, Minor*, unpublished per curiam opinion of the Court of Appeals, issued November 29, 2012 (Docket No. 310658).

find no clear error in this determination. MCR 3.977(K); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Stephen L. Borrello
/s/ E. Thomas Fitzgerald
/s/ Donald S. Owens