

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JESSICA LYNN MIKE and JASON
PHILLIP MIKE, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CHERYL LYNN CUNNINGHAM,

Respondent-Appellant,

and

JAY THORNTON MIKE,

Respondent.

UNPUBLISHED

December 19, 1997

No. 201929

Wayne Juvenile Court

LC No. 94-322804

Before: Griffin, P.J., and Markman and Whitbeck, JJ.

MEMORANDUM.

Respondent Cheryl Lynn Cunningham appeals as of right from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

Petitioner presented clear and convincing evidence that the conditions which led to the adjudication continued to exist and that there was no reasonable likelihood that they would be rectified within a reasonable time given the ages of the children. There was also clear and convincing evidence that respondent failed to provide proper care and custody to the children and that she would be unable to do so within time given the ages of the children. The minimal evidence presented by respondent did not establish that termination was clearly not in the children's best interest. Therefore, the juvenile

court's decision was not clearly erroneous. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

Affirmed.

/s/ Richard Allen Griffin
/s/ Stephen J. Markman
/s/ William C. Whitbeck