

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of KWAMAY GARRICK STANLEY,  
GABRIELLE LADONN GREEN, PAVIELLE  
LASHAWN GREEN and CHEVEZ MARTELL  
STANLEY, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MARIA LADON GREEN,

Respondent-Appellant,

and

GARRICK STANLEY and FRANK STANLEY,

Respondents.

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UNPUBLISHED

April 3, 1998

No. 204433

Wayne Juvenile Court

LC No. 89-281654

Before: Bandstra, P.J., and MacKenzie and N.O. Holowka\*, JJ.

PER CURIAM.

Respondent Green appeals as of right from the juvenile court's 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. This case has been decided without oral argument pursuant to MCR 7.214(E).

The juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). The conditions that

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\* Circuit judge, sitting on the Court of Appeals by assignment.

caused the court to assume jurisdiction in this case continued to exist at the time of the termination hearing. Respondent Green failed to successfully complete substance abuse treatment and counseling. She also failed to substantially comply with the treatment plan, although she had made some progress on the plan during the time this matter was pending. Given her relapse near the time of the termination hearing, the juvenile court was correct in finding that there was clear and convincing evidence to support termination because it appeared that respondent Green would not be able to provide adequate care for the children on her own within a reasonable amount of time.

Respondent Green also argues that the testimony of one of the caseworkers at the termination hearing was not credible. While reports and testimony from one of the foster care caseworkers were inconsistent about respondent's progress in her treatment, the caseworker explained that her former report and testimony to the court were inaccurate. The credibility of this worker's explanation was a matter within the juvenile court's discretion, and we defer to the juvenile court's assessment of the credibility of this witness' testimony at the termination hearing. *In re Newman*, 189 Mich App 61, 65; 472 NW2d 38 (1991).

We affirm.

/s/ Richard A. Bandstra  
/s/ Barbara B. MacKenzie  
/s/ Nick O. Holowka