

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRITTANY CERDA and
THOMAS JACOBS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANGELIQUE JACOBS,

Respondent-Appellant,

and

THOMAS JACOBS,

Respondent.

UNPUBLISHED

August 26, 2003

No. 247775

St. Clair Circuit Court

Family Division

LC No. 01-000381

Before: Markey, P.J., and Cavanagh and Saad, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

There was clear and convincing evidence that respondent-appellant brought inappropriate people into her home at least up until one month before the termination hearing. Some of these she took on late night trips so they could buy drugs, with the children accompanying her. There was also considerable clear and convincing evidence that respondent-appellant lacked adequate parenting skills and did not have the ability or capacity to acquire them. The trial court did not clearly err in finding that the statutory grounds for termination under MCL 712A.19b(3)(c)(i), (g) and (j) were established by clear and convincing evidence. MCR 5.974(I), now MCR 5.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The trial court did err in finding that termination was appropriate under MCL 712A.19b(3)(c)(ii). This error is harmless, however, because the court properly found other statutory grounds for termination. *In re Powers Minors*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

The court also did not clearly err in not finding that it was against the children's best interests to terminate respondent-appellant's parental rights. MCL 712A.19b(5). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Jane E. Markey

/s/ Mark J. Cavanagh

/s/ Henry William Saad