

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of ANTARR DEMETREOUS ELI  
SALLAD and NICOLE LOUISE RUBY  
KAZZMERRE,<sup>1</sup> Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

RUBY MARIE FRISON-BEY,

Respondent-Appellant,

and

WILLIE JAMES SALLAD,

Respondent.

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UNPUBLISHED  
November 25, 2003

No. 245739  
Wayne Circuit Court  
Family Division  
LC No. 81-227399

Before: Cooper, P.J., and Markey and Meter, JJ.

MEMORANDUM.

By delayed leave granted, respondent-appellant appeals from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence showed that although respondent-appellant had maintained sobriety for eight months while in a structured residential setting, she had a thirty-five-year history of substance abuse twice before she had temporarily maintained

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<sup>1</sup> Although the minor child's name is captioned Nicole Louise Ruby Kazzmerre, the lower court record indicates that the child's name is Kazzmerre Nicole Louise Ruby Sallad.

sobriety, but then relapsed. She required many more months of counseling. Because respondent-appellant failed to provide proper care or custody for all of her children for nearly twenty years, the trial court did not clearly err in finding that there was no reasonable expectation that she would be able to provide proper care or custody for these two children within a reasonable time.

Further, the evidence failed to show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The children were thirteen and eleven years old, and both expressed a desire to be adopted and not return to respondent-appellant. Kazzmerre stated that she did not feel safe living with respondent-appellant. Both children had behavioral issues and required a very structured home environment. Antarr was emotionally impaired and had significant sexual and behavioral problems.

The trial court did not err in terminating respondent-appellant's parental rights to the children.

We affirm.

/s/ Jessica R. Cooper  
/s/ Jane E. Markey  
/s/ Patrick M. Meter