

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CLIFTON TRAMAINE JONES,
JR., Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CASANDRA HOLDEN,

Respondent-Appellant.

UNPUBLISHED
September 29, 2009

No. 291943
Saginaw Circuit Court
Family Division
LC No. 08-031430-NA

In the Matter of JACQUELINE DIONNE
DONALD, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CASANDRA HOLDEN,

Respondent-Appellant.

No. 291954
Saginaw Circuit Court
Family Division
LC No. 08-031429-NA

In the Matter of KEVIN LEEMEL RANDOLPH
HOLDEN, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CASANDRA HOLDEN,

No. 291981
Saginaw Circuit Court
Family Division

Respondent-Appellant,

and

DENNIS HOLDEN,

Respondent.

Before: Murray, P.J., and Markey and Borrello, JJ.

PER CURIAM.

In these consolidated appeals, respondent Casandra Holden appeals as of right from circuit court orders terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(ii) and (h). For the reasons set forth in this opinion, we affirm.

Respondent does not challenge the trial court's determination that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(G); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000). She contends only that the trial court erred in finding that termination of her parental rights was in the children's best interests. MCL 712A.19b(5). We review the trial court's best interests decision for clear error. *In re Trejo*, *supra* at 356-357.

While a court may continue a child's temporary wardship with relatives or establish a guardianship pending a respondent's release from prison if doing so is in the child's best interests, MCL 712A.19a(6); MCL 712A.19c(2), nothing in the law directs the court to refrain from ordering termination when the child could alternatively be placed with relatives. *In re Futch*, 144 Mich App 163, 170; 375 NW2d 375 (1984). Thus, if the court finds that it is within the child's best interests to do so, it may terminate parental rights instead. *In re IEM*, 233 Mich App 438, 453; 592 NW2d 751 (1999); *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991).

Here, considering that respondent's criminal conviction would make her absent from the children's everyday lives for at least four years and possibly the whole of their minority, and considering the children's need for a safe, stable home and for permanence, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best interests. Additionally, the testimony revealed that respondent failed to visit the children on a regular basis or express any concern for their financial or emotional welfare. Accordingly, we find no error in the trial court's determinations.

Affirmed.

/s/ Christopher M. Murray
/s/ Jane E. Markey
/s/ Stephen L. Borrello