

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JANRALYN SMALL and
JARRELL C. SMALL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JACKIE SMALL,

Respondent-Appellant,

and

ANTHONY TUCKER and KELVIN HENDRICK,

Respondents.

UNPUBLISHED

June 17, 2003

No. 242560

Wayne Circuit Court

Family Division

LC No. 00-392852

Before: Sawyer, P.J., and Meter and Schuette, JJ.

MEMORANDUM.

Respondent Small appeals as of right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (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 at least one statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). The children came into care in part because of respondent's substance abuse. Despite making some progress while participating in services, respondent relapsed and used cocaine several times, including once during the termination hearing. Further, the trial court's finding regarding the children's best interests was not clearly erroneous. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000); MCL 712A.19b(5). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra* at 356-357.

Affirmed.

/s/ David H. Sawyer

/s/ Patrick M. Meter

/s/ Bill Schuette