

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ALANA LOCKETT, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANDRAE LOCKETT, SR.,

Respondent-Appellant,

and

DEANE LOCKETT,

Respondent.

In the Matter of ANDRAE LOCKETT, JR., Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANDRAE LOCKETT, SR.,

Respondent-Appellant,

and

DEANE LOCKETT,

Respondent.

UNPUBLISHED

March 4, 2008

No. 279803

Washtenaw Circuit Court

Family Division

LC No. 2005-000087-NA

No. 279804

Washtenaw Circuit Court

Family Division

LC No. 2005-000088-NA

In the Matter of DASIA LOCKETT, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANDRAE LOCKETT, SR.,

Respondent-Appellant,

and

DEANE LOCKETT,

Respondent.

No. 279805
Washtenaw Circuit Court
Family Division
LC No. 2005-000089-NA

Before: Whitbeck, P.J., and Jansen and Davis, JJ.

MEMORANDUM.

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

To terminate parental rights, the trial court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been established by clear and convincing evidence. *In re Fried*, 266 Mich App 535, 540-541; 702 NW2d 192 (2005). We review the trial court's findings of fact for clear error. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

The record indicates that the children were removed from respondent-appellant's care because of respondent-appellant's cocaine use. At the time of termination, no evidence suggested that respondent-appellant had ceased his cocaine use other than respondent-appellant's own unsupported testimony. Respondent-appellant had failed to complete substance abuse treatment, failed to attend AA, and failed to consistently participate in drug screens. Respondent-appellant had also failed to maintain stable employment or any other legal source of income, failed to contribute to the children's support when he was working, and failed to obtain suitable housing. At the time of termination, respondent-appellant had not established his sobriety, was unemployed, and had no independent housing, thereby demonstrating that he was no more willing or able to care for the children at that time than he had been previously. The

trial court did not err by concluding that the statutory grounds for termination were established by clear and convincing evidence.

Based on the same evidence, the trial court's properly concluded that termination was not clearly contrary to the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000).

Affirmed.

/s/ William C. Whitbeck

/s/ Kathleen Jansen

/s/ Alton T. Davis