

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SHANITA DE' ASIA WINTERS,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

INDI RENE A SIMPSON,

Respondent-Appellant,

and

DAVID WINTERS,

Respondent.

UNPUBLISHED

April 23, 2009

No. 288840

Genesee Circuit Court

Family Division

LC No. 00-112333-NA

Before: Borrello, P.J., and Murphy and M. J. Kelly, JJ.

MEMORANDUM.

Respondent Indi Simpson appeals as of right the circuit court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). Because we conclude that there were no errors warranting relief, we affirm.

The trial court did not clearly err in finding that §§ 19b(3)(c)(i) and (g) were each established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent had an unaddressed substance abuse problem, as a result of which she declined to take responsibility for her children and relied on her grandmother to raise them. She did not have independent housing or a legal source of income and wandered in and out of the child's life as it suited her. Respondent did nothing to comply with the service plan until several months after the supplemental petition for termination had been filed, by which time the child had been in care for almost two years. Further, trial court's findings regarding the child's best interests are not clearly erroneous. MCL 712A.19b(5); *In re Trejo, supra* at 356-357.

The trial court did not err in terminating respondents' parental rights to the child.

Affirmed.

/s/ Stephen L. Borrello

/s/ William B. Murphy

/s/ Michael J. Kelly