

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of JAMAIA FRANCESCA  
GULLEY and GIOVANNI GARY  
GULLEY, Minors.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

V

PATRICIA ANN GULLEY,  
  
Respondent-Appellant,

and

JIMMIE C. GULLEY and GARY LEE CHESTER,  
  
Respondents.

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In the Matter of JAMAIA FRANCESCA  
GULLEY and GIOVANNI GARY  
GULLEY, Minors.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

V

GARY LEE CHESTER,

UNPUBLISHED  
April 23, 2002

No. 233040  
Wayne Circuit Court  
Family Division  
LC No. 99-382353

No. 233709  
LC No. 99-382353

Respondent-Appellant,

and

PATRICIA ANN GULLEY and JIMMIE C.  
GULLEY,

Respondents.

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Before: Gage, P.J., and Griffin and Buth\*, JJ.

MEMORANDUM.

In these consolidated appeals, respondent-appellant Patricia Ann Gulley appeals as of right from the order terminating her parental rights to the minor children. Respondent-appellant Gary Lee Chester appeals by delayed application for leave to appeal from the order terminating his parental rights to the minor children. Both parents' rights were terminated pursuant to MCL 712A.19b(3)(c)(i) and (g). Additionally, respondent Chester's parental rights were also terminated under § 19b(3)(h). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The respondent mother had a history of drug abuse and had failed to provide a safe, suitable and stable home. In addition, she failed to visit regularly with the children. She was given a year and a half and took no steps toward being able to care for the children, nor did she avail herself of any of the assistance offered to her by the petitioner. With respect to the respondent father, he had been incarcerated for a large portion of the children's lives and when not incarcerated had been using illegal drugs. He had made no plans for the children other than leaving them with the mother whom he knew to be a drug addict while he was incarcerated. He failed to provide proper care for the children and there was no reasonable expectation that he would be able to do so within a reasonable time given the ages of the children.

The trial court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondents' parental rights was clearly not in the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The trial court therefore did not err in terminating respondents' parental rights to the children.

Affirmed.

/s/ Hilda R. Gage  
/s/ Richard Allen Griffin  
/s/ George S. Buth