

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SUZANNA MARIA DREW and
JUAN CHRISTOVAN DREW, II, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CYNTHIA L. DREW,

Respondent-Appellant,

and

MARTIN BRISENO, III,

Respondent.

UNPUBLISHED

August 21, 2003

No. 246516

Kalamazoo Circuit Court

Family Division

LC No. 01-000192-NA

Before: Markey, P.J., and Cavanagh and Saad, JJ.

MEMORANDUM.

Respondent-appellant appeals by right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g). We affirm.

After carefully reviewing the record, we are satisfied that the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). Respondent-appellant continued to use cocaine until almost one month before the termination hearing and failed to acknowledge that her drug use negatively impacted the children. Respondent-appellant was also unable to provide the permanence and stability that her special needs children required as evidenced by her numerous temporary residences, short-term jobs, and periods of unemployment within a very short time span.

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The court relied upon evidence "on the whole record" in deciding the issue, and respondent-appellant's claim that expert testimony was required is not

supported by legal authority. *Id.* at 353. Thus, the trial court did not clearly err in terminating respondent-appellant's parental rights to the minor children.

We affirm.

/s/ Jane E. Markey
/s/ Mark J. Cavanagh
/s/ Henry William Saad