

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JOHNATHON MCPHERSON and
KRISTEN MCPHERSON, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TERRI L. BOYCE,

Respondent-Appellant,

and

JOHN MCPHERSON,

Respondent.

UNPUBLISHED
November 22, 2005

No. 262782
Jackson Circuit Court
Family Division
LC No. 00-005244-NA

Before: Smolenski, P.J., and Schuette and Borrello, JJ.

MEMORANDUM.

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

The circuit court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent-appellant failed to rectify the conditions that led to adjudication, having failed to benefit from parenting classes, to obtain and maintain a drug-free lifestyle, or to obtain and maintain stable and suitable housing. Her actions and inactions demonstrated that she would not be able to provide proper care and custody for her children within a reasonable time considering the ages of the children. In addition, there was a reasonable likelihood that, because of respondent-appellant's conduct and capacity, the children would suffer harm if returned to her care.

Furthermore, the evidence did not show that termination was contrary to the children's best interests. MCL 712A.19b(5). The children had not had contact with respondent-appellant for some time and wished to be adopted by their foster families. Therefore, we find that the

circuit court did not err in terminating respondent-appellant's parental rights to the minor children.

Affirmed.

/s/ Michael R. Smolenski

/s/ Bill Schuette

/s/ Stephen L. Borrello