

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of KOBE BRUCKNER, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

FELICIA BRUCKNER,

Respondent-Appellant.

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UNPUBLISHED  
September 6, 2007

No. 276260  
Wayne Circuit Court  
Family Division  
LC No. 05-439022-NA

Before: Cavanagh, P.J., and Donofrio and Servitto, JJ.

MEMORANDUM.

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

The trial court did not clearly err in finding that the statutory grounds for termination of respondent's parental rights were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Testimony established that respondent's parental rights to the minor child's sibling were terminated due to her chronic drug use, and that respondent had not benefited for any significant length of time from prior attempts at rehabilitation. Although respondent was able to achieve nearly a year of sobriety during this proceeding and regain custody of the minor child, she immediately relapsed and relinquished her parental responsibility to the maternal grandmother, as she had done with her other children in past years. The evidence clearly showed that respondent relinquished her parental responsibility and parental role with regard to the child from February 2006 to October 2006, a period well in excess of 91 days. Subsequently changing her mind and asserting a desire for another reunification did not negate that desertion.

In addition, given respondent's pattern of continual drug use for 19 years interspersed by a failure to benefit for any significant length of time from drug treatment, and the relinquishment of parental responsibility for all of her children to the maternal grandmother, the trial court did not err in finding that there was no reasonable expectation that respondent would be able to provide proper care for the minor child within a reasonable time, and that he would likely suffer harm if returned to respondent's care.

Further, the evidence did not show that termination of respondent's parental rights was clearly contrary to the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent had custody of the child for only two months of his two-year life, and there was no reasonable likelihood that she would be able to resume his care in the future.

Affirmed.

/s/ Mark J. Cavanagh  
/s/ Pat M. Donofrio  
/s/ Deborah A. Servitto