

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of GABRIELLA ANGELLICA  
JIMENEZ, SABRINA ANDREA JIMENEZ,  
JESUS SIMON JIMENEZ, NAYELI JIMENEZ,  
YADELI JIMENEZ and SARAH MARIE  
CICCHETTI, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

BETSAIDA JIMENEZ,

Respondent-Appellant.

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UNPUBLISHED

August 26, 2008

No. 283703

Wayne Circuit Court

Family Division

LC No. 06-458484-NA

Before: Schuette, P.J., and Zahra and Owens, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court orders terminating her parental rights to her four older children, Gabriella, Sabrina, Jesus, and Sarah, under MCL 712A.19b(3)(c)(i) and (g), and to her two youngest children, twins Nayeli and Yadeli, under MCL 712A.19b(3)(g) 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 statutory grounds for terminating respondent's parental rights to all six children were established by clear and convincing evidence. *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003); *In re Trejo Minors*, 462 Mich 341, 350; 612 NW2d 407 (2000). There was clear and convincing evidence that respondent had not resolved her substance abuse issue. She used cocaine while pregnant with Nayeli and Yadeli, and the twins tested positive for cocaine at birth. The evidence also established that she continued to use cocaine as recently as the weekend before the permanent custody hearing, despite having been through several substance abuse treatment programs. Although respondent argues that petitioner failed to provide referrals sufficient to allow her to complete the case service agreement, the evidence showed that the referrals given would have allowed respondent to comply with the agreement had she followed through with them.

Furthermore, the trial court properly determined that the record did not support a finding that termination of respondent's parental rights was contrary to the children's best interests.

MCL 712A.19b(5). Therefore, the trial court did not err in terminating respondent's parental rights to the minor children.

Affirmed.

/s/ Bill Schuette  
/s/ Brian K. Zahra  
/s/ Donald S. Owens