

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JASMINE PUENTE, MARIAH
PUENTE, SELENA PUENTE, ALEIGHYA
PUENTE, and DESIREE JACLYNN PUENTE,
Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

AMY PUENTE,

Respondent-Appellant,

and

LOREN D. GREENE and JEROME ATKINS,

Respondents.

UNPUBLISHED

March 21, 2006

No. 263924

Jackson Circuit Court

Family Division

LC No. 03-002646-NA

Before: Neff, P.J., and Saad and Bandstra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order terminating her parental rights to the minor children under MCL 712A.19b(3)(a), (c)(i), (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 termination were established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). A petition was filed alleging that respondent-appellant had a substance abuse problem and was not able to care for her children. The initial service plan required that she attend the recommended programs for her substance abuse and that she submit to random drug screens. Following various hearings, the trial court suspended respondent-appellant's parenting time because she failed to address her substance abuse. Respondent-appellant contends that, because her parenting time was suspended, the trial court erred in finding that she deserted her children. However, if respondent-appellant had submitted clean drug screens, she would have been allowed to visit her children. We also note that, a few months before the termination hearing, the court allowed respondent-

appellant supervised visits with her children. However, testimony revealed that she did not visit her children following the court order. Based on the above evidence, we find that the trial court did not clearly err in terminating respondent-appellant's parental rights under MCL 712A.19b(3)(a)(ii).

Respondent-appellant next contends that the trial court clearly erred in terminating her parental rights under MCL 712A.19b(3)(c)(i), (g), and (j) because the services offered to address her substance abuse problem were insufficient. However, this argument was not raised below, and, consequently, was not preserved for this Court's review. *Phinney v Perlmutter*, 222 Mich App 513, 544; 564 NW2d 532 (1997). Moreover, the argument is without merit. Respondent-appellant failed to participate in the services that were offered to address her substance abuse. She was referred to two different substance abuse programs but failed to complete the programs and did not submit court-ordered random drug screens. Because respondent-appellant failed to address her substance abuse, the trial court did not clearly err in terminating her parental rights under MCL 712A.19b(3)(c)(i), (g), and (j).

Affirmed.

/s/ Janet T. Neff
/s/ Henry William Saad
/s/ Richard A. Bandstra