

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEMICHAEL HOBBS, Minor.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

TIMOTHY ANDERSON,

Respondent-Appellant,

and

JOHN A. PRICE, a/k/a JOHN WILLIAMS, and
DARLANNE HOBBS,

Respondents.

Before: Corrigan, C.J., and Young and M.J. Talbot*, JJ.

PER CURIAM.

Respondent-appellant Anderson appeals as of right from the order terminating his parental rights to the minor child under MCL 712A.19b(3)(g) and (j); MSA 27.3178(598.19b)(3)(g) and (j). We affirm.

The probate court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The record revealed that Anderson is the child's legal, but not biological father, having signed the paternity papers for the child shortly after the proceedings in this matter began. Anderson had little or no contact with the minor child for the first seven years of the child's life, stating that he was under the impression that the child's mother was capable of raising him. Anderson did not

* Circuit judge, sitting on the Court of Appeals by assignment.

become involved in the child's life until six months before the termination hearing. The first statement out of Anderson's mouth was allegedly an inquiry regarding how much money he would receive if he had the child with him. At the time of the termination hearing, Anderson lived in an overcrowded, roach-infested house that, according to respondent, was slated to be condemned. Anderson has no parenting experience and according to his caseworker, is unable to grasp simple parenting discipline concepts such as a "time-out." A psychological evaluation revealed that Anderson is borderline mentally retarded and has a low probability of success with respect to child rearing. Anderson's parenting class reports indicate that respondent did not benefit from parenting classes and that it is unlikely that respondent will ever be able to properly parent the child. Finally, Anderson has no one willing to support his efforts to raise the child.

Further, Anderson failed to show that termination of his parental rights was clearly not in the child's best interests. *In re Hall-Smith*, ___ Mich App ___; ___ NW2d ___ (Docket No. 195833, issued 3/25/97), slip op p 3.

Finally, Anderson was not denied effective assistance of counsel. *In re Simon*, 171 Mich App 443, 447; 431 NW2d 71 (1988); *People v Barclay*, 208 Mich App 670, 672; 528 NW2d 842 (1995).

Affirmed.

/s/ Maura D. Corrigan
/s/ Robert P. Young, Jr.
/s/ Michael J. Talbot