

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of EMBRA BROWN, JR., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

EMBRA BROWN,

Respondent-Appellant.

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UNPUBLISHED

December 9, 1997

No. 198533

Wayne Juvenile Court

LC No. 94-319852

Before: Jansen, P.J., and Fitzgerald and Young, JJ.

MEMORANDUM.

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

The juvenile court's findings on the statutory factor were supported by clear and convincing evidence and were not clearly erroneous. MCL 712A.19b(3); MSA 27.3178(598.19b)(3); *In re Conley*, 216 Mich App 41, 42; 549 NW2d 353 (1996). Respondent failed to demonstrate that termination of his parental rights was clearly not in the best interests of the child. The juvenile court's decision to termination his parental rights was not clearly erroneous. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

Respondent has failed to establish that he was denied the effective assistance of counsel. *People v Barclay*, 208 Mich App 670, 672; 528 NW2d 842 (1995). He has not overcome the presumption of sound trial strategy, nor has he demonstrated prejudice. *People v Stewart (On Remand)*, 219 Mich App 38, 41; 555 NW2d 715 (1996).

Respondent did not preserve his challenge to the admission of his criminal history by objecting to its admission at trial. *People v Kilbourn*, 454 Mich 677, 684-685; 563 NW2d 669 (1997).

Moreover, its admission was not an abuse of discretion. *People v Sawyer*, 222 Mich App 1, 5; 564 NW2d 62 (1997); MCR 5.974(F)(2).

Affirmed.

/s/ Kathleen Jansen

/s/ E. Thomas Fitzgerald

/s/ Robert P. Young, Jr.