

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LONNIE ANTHONY
BERRY, JR., Minor.

FAMILY INDEPENDENCE AGENCY, f/k/a
DEPARTMENT OF SOCIAL SERVICES,

UNPUBLISHED
December 19, 1997

Petitioner-Appellee,

v

No. 201901
Wayne Juvenile Court
LC No. 89-282249

LONNIE BERRY, a/k/a LONNIE BERRY, SR.,

Respondent-Appellant.

Before: MacKenzie, P.J., and Hood and Hoekstra, JJ.

MEMORANDUM.

Respondent appeals by delayed application granted from the juvenile court 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). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The juvenile 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); *In re Conley*, 216 Mich App 41, 42-43; 549 NW2d 353 (1996). Respondent's abuse of one child is probative of how he would treat his minor child. *In re Powers*, 208 Mich App 582, 591-593; 528 NW2d 799 (1995). The juvenile court's decision to terminate respondent's 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).

At the dispositional hearing, the juvenile court was permitted to consider evidence that would not be admissible under the Michigan Rules of Evidence. MCR 5.973(A)(4)(a); *In re Snyder*, 223 Mich App 85, 92; 566 NW2d 18 (1997). Respondent's failure to object to the admission of the challenged evidence precludes appellate review unless a miscarriage of justice would result; *Snyder*,

supra, pp 88-90. Further review of this issue is not necessary because a miscarriage of justice will not result.

Affirmed.

/s/ Barbara B. MacKenzie

/s/ Harold Hood

/s/ Joel P. Hoekstra