

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of JONATHAN WETTHUHN and  
BRIAN SMITH, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JEAN PLEAU SAXTON,

Respondent-Appellant,

and

HENRY WETTHUHN,

Respondent.

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UNPUBLISHED

September 18, 1998

No. 206768

Menominee Juvenile Court

LC No. 94-004625 NA

Before: Holbrook, Jr., P.J., and Wahls and Cavanagh, JJ.

MEMORANDUM.

Respondent Jean Pleau Saxton appeals as of right from a juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i) and (g); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i) and (g). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. See *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997); *In re Vasquez*, 199 Mich App 44, 51-52; 501 NW2d 231 (1993). Furthermore, respondent failed to provide evidence from which the court could conclude that termination of parental rights was clearly not in the children's best interests. See MCL 712A.19b(5);

MSA 27.3178(598.19b)(5); *Hall-Smith, supra*. Therefore, the juvenile court did not err in terminating respondent's parental rights. See *id*.

Respondent's claims regarding the court's jurisdiction are not preserved for appellate review because respondent has failed to cite any authority in support of those claims. See *Price v Long Realty, Inc*, 199 Mich App 461, 467; 502 NW2d 337 (1993). In addition, respondent's claim regarding the court's acceptance of her plea of admission is not preserved because respondent did not move to withdraw her plea. See *In re Zelzack*, 180 Mich App 117, 126; 446 NW2d 588 (1989); *In re Campbell*, 170 Mich App 243, 250; 428 NW2d 347 (1988). Moreover, the order taking jurisdiction may not be collaterally attacked in an appeal by right from the order of termination. *In re Hatcher*, 443 Mich 426; 505 NW2d 834 (1993); *In re Bechard*, 211 Mich App 155, 159; 535 NW2d 220 (1995).

Respondent's claim that the termination petition was not timely filed is without merit. The court was not required to authorize the filing of the petition at the permanency placement hearing, MCL 712A.19a(5); MSA 27.3178(598.19a)(5); MCR 5.974(F)(1)(a), and the petition was timely filed after the review hearing in which the court authorized the filing of the petition. MCR 5.974(F)(1)(a). Finally, respondent's claim that the hearing was not held within the forty-two-day period prescribed by MCR 5.974(F)(1)(b) is not preserved for appeal because respondent expressly waived the issue below. See *Phinney v Perlmutter*, 222 Mich App 513, 537; 564 NW2d 532 (1997).

Affirmed.

/s/ Donald E. Holbrook, Jr.  
/s/ Myron H. Wahls  
/s/ Mark J. Cavanagh