

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of RAYMOND GONZALES and
ARTURO LEDESMA, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LISA GONZALES and LARRY LEDESMA,

Respondents-Appellants.

UNPUBLISHED
February 9, 1999

No. 212671
Midland Circuit Court
Family Division
LC No. 97-010029 NA

Before: Murphy, P.J., and MacKenzie and Talbot, JJ.

PER CURIAM.

Respondents appeal as of right from a family court order terminating their parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i), (g), and (j). We affirm.

Relying on *In re Bechard*, 211 Mich App 155; 535 NW2d 220 (1995), respondent Ledesma contends that the trial court improperly assumed jurisdiction over the minor child on the basis of respondent Gonzales' "consent" to jurisdiction. We disagree. This case is factually distinguishable from *In re Bechard*, in which the court assumed jurisdiction on the basis of the "consent" of the respondent's wife, who was not a party to the proceeding and was not alleged to have neglected or abused the minor children. Here, the court assumed jurisdiction over the children on the basis of respondent Gonzales' plea of admission to allegations involving herself, and which provided a sufficient basis for the court to exercise jurisdiction over the children. Furthermore, unlike *In re Bechard*, an order of adjudication was entered in this case from which respondent Ledesma could have appealed the taking of jurisdiction. He did not do so and may not now collaterally attack the court's exercise of jurisdiction. *In re Hatcher*, 443 Mich 426, 444; 505 NW2d 834 (1993).

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; 445 NW2d 161 (1989). Further, respondents failed to show that termination of their parental rights was clearly not in the children's best interests. MCL 712A.19(b)(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997). Thus, the juvenile court did not err in terminating respondents' parental rights to the children. *Id.*

Affirmed.

/s/ William B. Murphy
/s/ Barbara B. MacKenzie
/s/ Michael J. Talbot