

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ROBIN SCHWOCHERT and
CARMEN SCHWOCHERT, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ROBERT SCHWOCHERT,

Respondent-Appellant,

and

LISA BURKE,

Respondent.

UNPUBLISHED

April 2, 1999

No. 213940

Chippewa Circuit Court

Family Division

LC No. 97-011878 NA

Before: O'Connell, P.J. and Jansen and Collins, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial 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 Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Contrary to respondent-appellant's argument, his inability or unwillingness to rectify his alcoholism was a valid basis for terminating parental rights under subsections (3)(c)(i) and (g). *In re Conley*, 216 Mich App 41, 44; 549 NW2d 353 (1996). Further, respondent-appellant failed to show that termination of his parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA

27.3178(598.19b)(5); *In re Hall-Smith, supra* at 472-473. Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Peter D. O'Connell

/s/ Kathleen Jansen

/s/ Jeffrey G. Collins