

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SHEMICA SHERON HARPER,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

COUSAZY HARPER, JR.,

Respondent-Appellant.

UNPUBLISHED

August 10, 1999

No. 213763

Genesee Circuit Court

Family Division

LC No. 85-069300 NA

Before: Sawyer, P.J., and Holbrook, Jr., and W. E. Collette,* JJ.

MEMORANDUM.

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

After reviewing the record, we conclude that respondent has not demonstrated any basis for disturbing the family court's determination that termination of parental rights was warranted under § 19b(3)(h). *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent's reliance on *In the Matter of Taurus F*, 415 Mich 512; 330 NW2d 33 (1982), *In re Hurlbut*, 154 Mich App 417; 397 NW2d 332 (1986), and *In the Matter of Curry*, 113 Mich App 821; 318 NW2d 567 (1982), addressing jurisdictional requirements for court intervention, is misplaced because the family court already had jurisdiction over the child when the petition to terminate parental rights was filed. We also note that respondent agreed, when questioned by the family court, that factually sufficient evidence existed to establish the requirements of § 19b(3)(h). Finally, respondent has not established any clear error with the family court's best interests' determination under MCL 712A.19b(5); MSA 27.3178(598.19b)(5). *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Hence, we uphold the family court order terminating respondent's parental rights to the child.

* Circuit judge, sitting on the Court of Appeals by assignment.

Affirmed.

/s/ David H. Sawyer

/s/ Donald E. Holbrook, Jr.

/s/ William E. Collette