

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

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In the Matter of DEMETRIUS JUANE CURTON,  
Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CATRINA JEAN CURTON,

Respondent-Appellant,

and

ARTHUR CLEMENS,

Respondent.

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UNPUBLISHED

August 10, 1999

No. 214281

Wayne Circuit Court

Family Division

LC No. 97-360316

Before: White, P.J., and Markey and Wilder, JJ.

MEMORANDUM.

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

The family 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, 344-345; 445 NW2d 161 (1989). Further, respondent-appellant failed to show that termination of her parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the family court did not err in terminating respondent-appellant's parental rights to the child. *Id.*

Finally, we find it unnecessary to address the issues raised on appeal by the attorney for the minor child, given that those issues were not timely raised below and that the attorney for the minor child specifically requested termination of respondent-appellant's parental rights in the trial court.<sup>1</sup> *In re Smebak*, 160 Mich App 122, 129; 408 NW2d 117 (1987).

We affirm.

/s/ Helene N. White

/s/ Jane E. Markey

/s/ Kurtis T. Wilder

<sup>1</sup> We further note that the attorney for the minor child has not filed a cross appeal, even though he is seeking modification of the trial court's judgment. See *Middlebrooks v Wayne Co*, 446 Mich 151, 166 n 41; 521 NW2d 774 (1994); *In re Herbach Estate*, 230 Mich App 276, 284; 583 NW2d 541 (1998). Cf. *Barnell v Taubman Co, Inc*, 203 Mich App 110, 123; 512 NW2d 13 (1993). Also, it is doubtful that the attorney for the minor child would have standing to allege a violation of respondent-appellant's due process rights. See, e.g., *People v Wood*, 447 Mich 80, 89-91; 523 NW2d 477 (1994).