

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DAVID EUBANKS-JOHNSON,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

EDWARD JOHNSON,

Respondent-Appellant,

and

DENISE CATHERINE EUBANKS,

Respondent.

UNPUBLISHED
November 5, 1999

No. 216653
Wayne Circuit Court
Family Division
LC No. 96-339855

Before: Whitbeck, P.J., and Gribbs and White, JJ.

MEMORANDUM.

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

We hold that 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; 445 NW2d 161 (1989). Further, we hold that Johnson failed to show that termination of his 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, we conclude that the family court did not err in terminating Johnson's parental rights to the child.

Affirmed.

/s/ William C. Whitbeck

/s/ Roman S. Gibbs

/s/ Helene N. White