

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ADRIAN LONEW KEMPHER,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DONALD KEMPHER,

Respondent-Appellant,

and

TINA WILLIAMSON,

Respondent.

UNPUBLISHED

April 18, 2000

No. 221552

Mecosta Circuit Court

Family Division

LC No. 97-003302-NA

Before: Gribbs, P.J., and Doctoroff and T. L. Ludington*, JJ.

MEMORANDUM.

Respondent-appellant appeals by delayed leave granted from a family court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

Although respondent-appellant argues that the statutory grounds for termination were not proven by clear and convincing evidence, he does not address in his brief the specific elements of the three statutory grounds for termination that were relied upon by the trial court. This deficiency could preclude appellate relief. See *Roberts & Son Contracting, Inc v North Oakland Development Corp*, 163 Mich App 109, 113; 413 NW2d 744 (1987); cf. *In re JS & SM*, 231 Mich App 92, 98; 585 NW2d 326 (1998). In any event, having considered respondent-appellant's arguments in light of

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

the statutory requirements, we are not persuaded that the family court clearly erred in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent-appellant does not address the best interests prong of the termination decision and our review of the record leads us to conclude that no basis for vacating the family court's decision to terminate respondent-appellant's parental rights is evident from the record. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

Finally, we reject respondent-appellant's claim, raised for the first time on appeal, that his constitutional rights to equal protection were violated. Respondent-appellant has not shown plain error affecting his substantial rights. *People v Carines*, 460 Mich 750, 774; 597 NW2d 130 (1999).

Affirmed.

/s/ Roman S. Gibbs
/s/ Martin M. Doctoroff
/s/ Thomas L. Ludington