

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRITTANY and SHELBY SMITH
and MATRACA KERNS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LORI KERNS,

Respondent-Appellant,

and

JAMES CUNNINGHAM,

Respondent.

UNPUBLISHED

April 21, 2000

No. 220131

Kent Circuit Court

Family Division

LC No. 98-001040-NA

Before: Meter, P.J., and Fitzgerald and O'Connell, JJ.

MEMORANDUM.

Respondent-appellant (respondent) appeals as of right the family court's order terminating her parental rights to her three minor children under MCL 712.19b(3)(g); MSA 27.3178(598.19b)(3)(g) and MCL 712.19b(a)(ii); MSA 27.3178(598.19b)(a)(ii). We affirm.

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, respondent failed to present evidence that termination of her 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*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the family court did not err in terminating respondent's parental rights.

Affirmed.

/s/ Patrick M. Meter

/s/ E. Thomas Fitzgerald

/s/ Peter D. O'Connell