

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

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In the Matter of COLTON TUNGATE, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KARON ELIZABETH MIKLE,

Respondent-Appellant,

and

JEFFREY TUNGATE,

Appellee.

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UNPUBLISHED

June 6, 2000

No. 223118

Kalamazoo Circuit Court

Family Division

LC No. 98-000288-NA

Before: Hoekstra, P.J., and Holbrook, Jr. and Zahra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(b)(ii) and (j); MSA 27.3178(598.19b)(3)(b)(ii) and (j). 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). Contrary to what respondent argues, the record does not indicate that the court improperly shifted the burden of proof to respondent with respect to this issue.

We further find no clear error in the family court's determination that termination of respondent's parental rights was not clearly contrary to 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.*

Affirmed.

/s/ Joel P. Hoekstra

/s/ Donald E. Holbrook, Jr.

/s/ Brian K. Zahra