

STATE OF MICHIGAN
COURT OF APPEALS

In re Jalen Vashawn Ross, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ALLEN WALKER,

Respondent-Appellant,

and

DARLENE ROSS,

Respondent.

UNPUBLISHED

July 7, 2000

No. 219200

Wayne Circuit Court

Family Division

LC No. 92-301079

Before: Jansen, P. J., and Hood and Saad, JJ.

MEMORANDUM.

Respondent appeals as of right from the order terminating his parental rights. We affirm.

The Family Independence Agency initiated proceedings to terminate respondent's rights to his putative son. Respondent appeared at the permanent custody hearing, but refused to acknowledge paternity. The evidence produced at the hearing showed that respondent had a long-standing substance abuse problem, that he had neither shown an interest in nor provided support for the child, and that he had not offered a plan for the child. The evidence also showed that respondent's parental rights to another child had been terminated pursuant to MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). The court found that clear and convincing evidence existed to terminate respondent's parental rights under MCL 712A.19b(3)(g), (i), (l), and (4); MSA 27.3178(598.19b)(3)(g), (i), (l), and (4).

To terminate parental rights, the family court must find that at least one of the statutory grounds for termination in MCL 712A.19b; MSA 27.3178(598.19b) has been met by clear and convincing evidence. *In re JS and SM*, 231 Mich App 92, 97; 585 NW2d 326 (1998). If a statutory ground is established, the court must terminate parental rights unless it finds that to do so would not be 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; 564 NW2d 156 (1997). We review the family court's findings of fact under the clearly erroneous standard. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

The family court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. Respondent received notice of the permanent custody hearing, as required, MCL 712A.19b(2)(c); MSA 27.3178(598.19b)(2)(c); MCR 5.921(B)(2)(c), but failed to establish paternity when given the opportunity to do so. The evidence showed that respondent, who had a long history of substance abuse, had neither shown any interest in nor provided any support for the child. In addition, the evidence showed that respondent's parental rights to another child had been terminated pursuant to MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). Respondent failed to present evidence that termination was not in the best interests of the child. *Hall-Smith, supra*, 473.

Affirmed.

/s/ Kathleen Jansen

/s/ Harold Hood

/s/ Henry William Saad