

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

---

In the Matter of MEGAN MAULL, Minor.

---

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LETITIA MAULL,

Respondent-Appellant.

---

UNPUBLISHED

July 11, 2000

No. 220479

Wayne Circuit Court

Family Division

LC No. 98-373529

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

MEMORANDUM.

Respondent appeals as of right from the family court's dispositional order, directing that the minor child be placed in the temporary custody of the court in foster care. The court assumed jurisdiction over the minor child pursuant to respondent's plea of admission. We affirm.

Respondent claims that her plea of admission was defective because the court did not adequately advise her of her rights to subpoena or cross-examine witnesses, or the consequences of entering a plea. She further argues that her testimony at the plea proceeding was insufficient to support a finding that the child was subject to the court's jurisdiction as set forth in MCL 712A.2(b); MSA 27.3178(598.2)(b). See MCR 5.971. Because respondent did not move to withdraw her plea of admission in the family court or request a review of the referee's recommendations on the basis asserted on appeal, this issue is not preserved. *In re Zelzack*, 180 Mich App 117, 126; 446 NW2d 588 (1989); MCR 5.991(B). Regardless, even if we were to address respondent's claims, we would conclude that they are without merit.

The record clearly reveals that the family court advised respondent, who was represented by counsel, that she had the right to a trial and at that trial "witnesses would be brought in to testify," that she could call witnesses to testify on her behalf, and that "all [of] those witnesses would be questioned by [her] attorney." Respondent was further advised that, during the case, if she failed to comply with the requirements ordered by the court, "the Court can terminate [her] rights as a parent and place the

child for adoption.” Respondent specifically acknowledged her understanding of these rights. It is apparent that respondent understood both the nature of the proceedings and that, by offering her plea, she was knowingly and voluntarily giving up her right to a trial and the rights incident thereto. Accordingly, respondent’s plea of admission was an understanding one and, therefore, was not defective on the basis of inadequate advice of rights. See *In re Waite*, 188 Mich App 189, 192; 468 NW2d 912 (1991). Further, a careful review of the record shows that sufficient facts were established through respondent’s testimony to support a conclusion that the child came within the provisions of MCL 712A.2(b); MSA 27.3178(598.2)(b).

Affirmed.

/s/ Kathleen Jansen

/s/ Harold Hood

/s/ Henry William Saad