

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ANDREA KIARA SMITH, JAMES
KAJARI SMITH, CANDACE LEIA ROSE SMITH
and SIMONE OMEGA SMITH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KIMBERLY ANN PITTS, a/k/a KIMBERLY ANN
PITTS-SMITH,

Respondent-Appellant,

and

ROOSEVELT JUNIOR SMITH,

Respondent.

UNPUBLISHED

August 11, 2000

No. 222263

Wayne Circuit Court

Family Division

LC No. 96-336365

Before: Murphy, P.J., and Kelly and Talbot, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) 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; *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, pursuant to MCL 712A.19b(5); MSA 27.3178(598.19b)(5) termination of parental rights was required unless the court found that termination was clearly not in the children's best interest. *In re Trejo*, ___ Mich ___; ___ NW2d ___ (No. 112528, issued 7/5/2000), slip op p

27. On this record, we cannot conclude that the court's finding was clearly erroneous or that termination was clearly not in the children's best interest. Accordingly, the court did not err in terminating respondent's parental right to the children. *Id.*

Affirmed.

/s/ William B. Murphy

/s/ Michael J. Kelly

/s/ Michael J. Talbot