

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DUWAYNE ANTONIO LEGETTE,
JAMES ANTHONY STEWART and JYWANNA
DENISE STEWART, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES STEWART,

Respondent-Appellant,

and

WANDA DENISE LEGETTE,

Respondent.

UNPUBLISHED

August 11, 2000

No. 224319

Wayne Circuit Court

Family Division

LC No. 95-328160

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

MEMORANDUM.

Respondent Stewart appeals as of right from a family court order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178 (598.19b)(3)(c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The family court did not clearly err in finding that §§ 19b(3)(c)(i) and (g) were both established by clear and convincing evidence. *In re Vasquez*, 199 Mich App 44, 51-52; 501 NW2d 231 (1993). In addition, 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