

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KOLOREAN CHANNEL
KERSHAW, TANISHA LESHAY DANELLE
KERSHAW, ELIZABETH PATRIECE
KERSHAW, and KATRINA YEVETTE
KERSHAW, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DELVINN LEMAR SILVER,

Respondent-Appellant,

and

TRACEY DIONNE KERSHAW, BYRON
CLEMENS, and LESTER ZEAKE LARKINS,

Respondents.

Before: Bandstra, C.J., and Griffin and Collins, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from a family court order terminating his parental rights to his child, Katrina Kershaw, pursuant to MCL 712A.19b(3)(c)(i) (g), (h), and (j); MSA 27.3178(598.19b)(3)(c)(i), (g), (h) and (j). We affirm.

Only one statutory ground for termination must be established in order to terminate parental rights. *In re Trejo*, 462 Mich 341, 350, 354, 364-365; 612 NW2d 407 (2000). Here, the family court did not clearly err in finding that § 19b(3)(g) was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence indicated that respondent failed to provide care and custody, not only by being incarcerated, but also by failing to provide support. Furthermore, the evidence showed that the

respondent had not been in contact with the child for the past year while she was in the care of her uncle. Therefore, we can not find that respondent would provide proper care and custody within a reasonable time notwithstanding his release from prison. We need not decide whether termination was also proper under the remaining statutory grounds. *In re Trejo, supra*. Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in his child's best interests. *Id.* at 354; MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

To the extent respondent-appellant's brief addresses issues concerning whether petitioner made reasonable efforts to reunite his family, whether the court made adequate findings of fact concerning his relationship with his daughter, and whether the referee's brief questioning of the maternal uncle was prejudicial, we find that these issues are not properly before us because they are not presented in the statement of questions presented. MCR 7.212(C)(5); *Preston v Dep't of Transportation*, 190 Mich App 491, 498; 476 NW2d 455 (1991). In any event, we are not persuaded that any of these assertions of error warrant relief on appeal.

Affirmed.

/s/ Richard Allen Griffin

/s/ Jeffrey G. Collins