

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of JODY ALLEN PRINGLE II,  
JUSTIN M. PRINGLE, JOSHUA P. PRINGLE,  
JULIA L. PRINGLE, and JENA S. PRINGLE,  
Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JODY PRINGLE,

Respondent-Appellant,

and

JANICE L. PRINGLE,

Respondent.

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UNPUBLISHED

March 30, 2001

No. 229885

Grand Traverse Circuit Court

Family Division

LC No. 98-000526-NA

Before: Talbot, P.J., and Sawyer and F. L. Borchard\*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating his 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(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the family court did not err in terminating respondent-appellant's parental rights to the children.

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\* Circuit judge, sitting on the Court of Appeals by assignment.

We also reject respondent-appellant's claim that trial counsel was ineffective because he failed to give an opening statement and his closing argument focused on respondent's limitations, instead of his strengths. Respondent-appellant has failed to overcome the presumption that the challenged actions were sound strategy. *People v Stewart*, 219 Mich App 38, 42; 555 NW2d 715 (1996). Moreover, the record provides no indication that, but for the alleged deficiencies, there is a reasonable probability that the result of the proceeding would have been different. *People v Noble*, 238 Mich App 647, 662; 608 NW2d 123 (1999). Accordingly, this Court will not reverse on the basis of ineffective assistance of counsel.

Affirmed.

/s/ Michael J. Talbot  
/s/ David H. Sawyer  
/s/ Fred L. Borchard