

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

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In the Matter of CHRISTOPHER BONAROTI,  
Minor.

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PEOPLE OF THE STATE OF MICHIGAN,  
  
Petitioner-Appellee,

v

CHRISTOPHER BONAROTI,  
  
Respondent-Appellant.

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UNPUBLISHED  
May 25, 2001

No. 221191  
Wayne Circuit Court  
Juvenile Division  
LC No. 94-320801

Before: Jansen, P.J., and Zahra and Owens, JJ.

MEMORANDUM.

Respondent appeals as of right the order committing him to the custody of the Family Independence Agency. We affirm.

Respondent was charged with multiple offenses in three petitions. In exchange for the dismissal of a number of charges, respondent pleaded guilty to resisting and obstructing a police officer and malicious destruction of property over \$100. At the initial dispositional hearing, the court deferred its ruling to allow respondent to show that a transfer to a different high school would alleviate his problems. Some two months later a second dispositional hearing was held. The record showed that respondent was suspended twice from his new high school, and his academic performance was deficient. The court made respondent a temporary ward of the state, and placed him with the Family Independence Agency.

On appeal, respondent argues that this placement was disproportionately severe punishment. We disagree.

A trial court's findings of fact at a juvenile proceeding are reviewed for clear error, while the ultimate disposition is reviewed for abuse of discretion, using the principle of proportionality. *People v Brown*, 205 Mich App 503; 504-505; 517 NW2d 806 (1994). Respondent asserts that the disposition is disproportionate to the circumstances surrounding the offense and the offender. The record shows that the placement with the FIA was appropriate for the welfare of respondent and for society. MCL 712A.18; MSA 27.3178(598.18). Respondent was warned to attend

school, and not get suspended. When respondent transferred schools to get out of trouble, he was suspended twice within his first month. Respondent had failing grades, and was well below grade level in reading. The court did not abuse its discretion in placing respondent with the FIA where he could not get the help he needed at home.

Affirmed.

/s/ Kathleen Jansen

/s/ Brian K. Zahra

/s/ Donald S. Owens