

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of EDWARD DENNY DAVIS
and JAMES ALEXANDER EVANS,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANGELA PEAKE,

Respondent-Appellant,

and

JAMES EDWARD DAVIS and LLEWELYN
HOUSTON,

Respondents

UNPUBLISHED
January 4, 2002

No. 230238
Wayne Circuit Court
Family Division
LC No. 98-366078-NA

Before: Meter, P.J., and Jansen and Gotham*, JJ.

MEMORANDUM.

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

Respondent does not challenge the trial court's conclusions regarding the statutory grounds for termination. Rather, respondent claims the trial court erred in not dismissing the permanent custody petition due to staleness. The trial court did not abuse its discretion in granting adjournments, some of which were requested by respondent, that exceeded the time limitations of MCR 5.974(F)(1)(b). Failure to follow the time limitations of that subsection does not automatically require dismissal of the termination order. See *In re Kirkwood*, 187 Mich App 542, 546; 468 NW2d 280 (1991). Where, as here, respondent was not prejudiced by the adjournments, there is no abuse of discretion. *In re Jackson*, 199 Mich App 22, 28-29; 501

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

NW2d 182 (1993). The trial court therefore did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Patrick M. Meter

/s/ Kathleen Jansen

/s/ Roy D. Gotham