

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KYLE MERTZ and ZACHARY
MERTZ Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JENNIFER MERTZ,

Respondent-Appellant,

and

SCOTT HARRIS and KURT HARVEY,

Respondents.

UNPUBLISHED
February 15, 2002

No. 234209
St. Clair Circuit Court
Family Division
LC No. 99-000376

Before: Fitzgerald, P.J. and Hood and Sawyer, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g), (j), and (k)(ii). We affirm.

The trial court did not clearly err in finding that §§ 19b(3)(j) and (k)(ii) were each established by clear and convincing evidence, as it found the child Kyle's testimony wholly credible. MCR 5.974(I); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Because only one statutory ground for termination need be proven to terminate parental rights, *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000), it is unnecessary to determine whether termination was also warranted under § 19b(3)(g). 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); *In re Trejo*, *supra* at 356-357. Thus, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ E. Thomas Fitzgerald
/s/ Harold Hood
/s/ David H. Sawyer