

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

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In the Matter of N.W., C.I.W., and L.E.W., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BRENDA MARSHELLE WALTON,

Respondent-Appellant,

and

DONALD RAY LEWIS, ANDRE MOORE, and  
ANTHONY EXPOSE,

Respondents.

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Before: Talbot, P.J., and Cooper and D. P. Ryan\*, 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)(a)(ii), (c)(i), (g) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

During the termination proceedings, the trial court permitted respondent to participate via telephone. Respondent was repeatedly warned by the trial court to not interrupt when other witnesses were testifying. After several admonishments by the trial court not to interrupt, respondent voluntarily hung up the telephone. Respondent contends that she was denied equal protection when the trial court refused to allow her counsel to call her back after she hung up the telephone. Because this constitutional challenge was not preserved for appellate review, we review for plain error affecting respondent's substantial rights. *People v Carines*, 460 Mich 750,

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

763-764; 597 NW2d 130 (1999). Respondent has failed to show that any plain error occurred given the fact that she terminated her participation in the trial and not the trial court.

Affirmed.

/s/ Michael J. Talbot

/s/ Jessica R. Cooper

/s/ Daniel P. Ryan