

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of Q.J., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

GEORGE JONES, JR.,

Respondent-Appellant,

and

KATINA WHITE,

Respondent.

UNPUBLISHED

September 20, 2002

No. 238546

Kent Circuit Court

Family Division

LC No. 00-051600-NA

Before: Whitbeck, C.J., and Sawyer and Kelly, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g). We affirm.

In making a termination decision, the trial court must engage in a two-step analysis. First, it must determine if a statutory ground for termination has been established by clear and convincing evidence. *In re Sours Minors*, 459 Mich 624, 632; 593 NW2d 520 (1999). Second, if a statutory ground has been established, the trial court must terminate parental rights unless there exists clear evidence on the whole record that it is not in the child's best interests to terminate parental rights. *In re Trejo Minors*, 462 Mich 341, 354; 603 NW2d 787 (2000).

The Court has carefully reviewed the record on appeal, the opinion of the trial court, and the parties' briefs. We are not persuaded that the trial court erred in finding that the statutory grounds for termination were met and that it was in the best interests of the child to terminate the parental rights. Accordingly, we find no abuse of discretion by the trial court in terminating respondent's parental rights.

The trial court also did not abuse its discretion in denying respondent-appellant's motion for adjournment of the termination hearing based on the unavailability of a witness, when the evidence showed that the witness's testimony would be cumulative and therefore not material. MCR 2.503(C)(2); *In re Jackson*, 199 Mich App 22, 28; 501 NW2d 182 (1993).

Affirmed.

/s/ William C. Whitbeck

/s/ David H. Sawyer

/s/ Kirsten Frank Kelly