

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of R.L.H., Minor.

RUBY BROWN and LARRY BROWN,

Petitioners-Appellees,

v

CHARLES TAYLOR,

Respondent-Appellant.

UNPUBLISHED

October 25, 2002

No. 236528

Wayne Circuit Court

Family Division

LC No. 99-383216

Before: Hoekstra, P.J., and Wilder and Bandstra, 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)(f)(i) and (f)(ii). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence in this case established that for more than two years respondent failed to comply with the support order and to have any contact or communication with the child. Further, we find without merit respondent's claim that his incarceration prevented him from complying with the provisions of MCL 712A.19b(3)(f). See *In re Caldwell*, 228 Mich App 116; 576 NW2d 724 (1998). Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Kurtis T. Wilder

/s/ Brian K. Zahra