

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of M.H. and R.S., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MARC HAYWOOD,

Respondent-Appellant,

and

JAMEY SWIFT and JOHN SWIFT,

Respondents.

UNPUBLISHED

October 25, 2002

No. 240274

Kalamazoo Circuit Court

Family Division

LC No. 00-000260-NA

Before: Hoekstra, P.J., and Wilder and Zahra, JJ.

MEMORANDUM.

Respondent Haywood appeals as of right from a circuit court order terminating his parental rights to M.H. pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court did not clearly err in terminating respondent's parental rights to the child. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The court may order termination upon finding that at least one statutory ground for termination has been proved by clear and convincing evidence, *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999), and petitioner presented clear and convincing evidence that termination was warranted under section 19b(3)(g). Petitioner was not required to prove that respondent would neglect his child for the long-term future as held in *Fritts v Krugh*, 354 Mich 97, 114; 92 NW2d 604 (1958), overruled on other grounds by *In re Hatcher*, 443 Mich 426, 444; 505 NW2d 834 (1993). That case predates the enactment of section 19b(3) which sets forth the criteria for termination.

Although respondent was unable to be physically present for the hearing, he waived any error by consenting to the court's solution for handling his physical absence. *People v Carter*, 462 Mich 206, 216; 612 NW2d 144 (2000).

Affirmed.

/s/ Joel P. Hoekstra

/s/ Kurtis T. Wilder

/s/ Brian K. Zahra