

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of D.L.J., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LEROY SNOW, a/k/d DEONDRA JOHNSON,

Respondent-Appellant,

and

SHERINA ANGELINA JAMES,

Respondent.

UNPUBLISHED
November 1, 2002

No. 237749
Wayne Circuit Court
Family Division
LC No. 00-392082

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

MEMORANDUM.

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

The family court did not clearly err in finding that statutory grounds were established by clear and convincing evidence under subsections 19b(3)(a)(ii), (g), and (k)(i). MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent concedes that these statutory grounds were established, but offers explanations for why he deserted and abandoned his child. Respondent asserts that he was a temporary ward himself until January 2001, and that FIA did not attempt to assist respondent in establishing paternity. However, the record reflects that although respondent knew his son was in foster care as of September 2000, he did not establish paternity and did not notify the FIA or anyone else that he wished to plan for his son once he was dismissed as a temporary ward. Instead, respondent went to North Carolina until May 2001. Upon return, respondent did nothing to establish paternity or state his intent to plan for his child until September 2001, nearly one year after learning his son was in foster care. The trial court found that respondent did not want to plan for his child and only came forward at the urging of

his mother. We must give deference to the trial court's credibility finding on this point. MCR 2.613(C); *In re Miller, supra* at 337. Based on the record presented, we conclude the trial court did not clearly err in finding that subsections 19b(3)(a)(ii) and (k)(i) were established. Since only one statutory ground for termination is required for this Court to affirm the trial court's decision, we need not address respondent's arguments with respect to § § 19b(3)(c)(i) and (j).

We further conclude the evidence did not show that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Joel P. Hoekstra
/s/ Kurtis T. Wilder
/s/ Brian K. Zahra