

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of JAYVON CORTEZ  
MERIWEATHER, Minor.<sup>1</sup>

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LEE ALBERT MERIWEATHER,

Respondent-Appellant,

and

APREAL LA'DONNA BULOCK and  
LAWRENCE JOHNSON,

Respondents.

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UNPUBLISHED

April 22, 2004

No. 251631

Wayne Circuit Court

Family Division

LC No. 01-398711

Before: Cavanagh, P.J., and Murphy and Smolenski, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to his minor child Jayvon under MCL 712A.19b(3)(a)(ii), (c)(i), (g), (j) and (k)(i). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The child was five years old at the time of trial and was suffering from a life-threatening illness. From the child's birth until the child was approximately two years old, respondent-appellant had very minimal contact with the child or the child's mother. After this

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<sup>1</sup> The parental rights of respondents, who are the mother of Jayvon and his half-sibling, Ja'La Nicole Rice, and the putative father of Ja'La, were also terminated. But respondents did not appeal this decision. Therefore, only respondent-appellant's parental rights to Jayvon are at issue in this appeal.

time, he had no contact for over a year before his imprisonment. Respondent-appellant was incarcerated throughout these proceedings and, until the initiation of the child protective proceedings, he had not attempted to locate, contact or support the child while he was imprisoned. The evidence supported a finding that respondent-appellant failed to provide proper care or custody for the child and had, in fact, deserted and abandoned the child.

Although there does not appear to be sufficient evidence in the record to support termination under MCL 712A.19b(3)(j), any error in finding that this ground was established was harmless given the sufficiency of evidence under the remaining grounds relied on by the court. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000). The evidence also did not show that termination was clearly not in the child's best interests. Therefore, we find that the trial court did not clearly err in terminating respondent-appellant's parental rights.

Affirmed.

/s/ Mark J. Cavanagh  
/s/ William B. Murphy  
/s/ Michael R. Smolenski