

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KMARIE HARRIS, JACKIE
HARRIS, CAMERON HARRIS, ARIEL
HARRIS, and MARQUES HARRIS, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

WAYNE HARRIS, SR.,

Respondent-Appellant.

UNPUBLISHED

January 3, 2008

No. 279732

Wayne Circuit Court

Family Division

LC No. 98-373769-NA

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

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(g), (h), (k)(ii), and (n)(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 that §§ 19b(3)(g), (h), and (n)(i) were each established by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Respondent had been convicted of second-degree criminal sexual conduct, MCL 750.520c(1)(b), for sexually assaulting the children's sister. He had been in prison since 1999 and would remain there for at least another two years.

Further, the evidence did not clearly show that termination of respondent's parental rights was not in the children's best interests. *In re Trejo*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000); MCL 712A.19b(5). The evidence showed that respondent presented a risk of harm to his family. He was in prison for a sexual assault against his children's sister and had several domestic violence convictions for assaults against their mother. The trial court did not clearly err in terminating respondent's parental rights. *In re Trejo, supra* at 356-357.

Affirmed.

/s/ Christopher M. Murray

/s/ Joel P. Hoekstra

/s/ Kurtis T. Wilder

