

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRITTANY HENDERSON,
TONYA HENDERSON, and DESTINY
HENDERSON, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CHAD HENDERSON,

Respondent-Appellant.

UNPUBLISHED

April 1, 2008

No. 281694

Jackson Circuit Court

Family Division

LC No. 07-005803-NA

Before: Kelly, P.J., and Owens and Schuette, 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)(h) and (k)(ii). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court made sufficient findings of fact and conclusions of law as required by MCR 3.977(H)(1). The court stated that it found that at least two statutory grounds for termination had been proven by clear and convincing evidence and that termination was not clearly contrary to the children's best interests. Although the court did not identify the two statutory grounds for termination by their statutory designations, it did identify them by substance, referring to the fact that respondent would be absent for several years due to imprisonment and that respondent had committed first-degree criminal sexual conduct against his daughter. The court's findings indicate that it was aware of the issues to be decided and correctly applied the law. *Triple E Produce Corp v Mastronardi Produce, Ltd*, 209 Mich App 165, 176; 530 NW2d 772 (1995).

Further, considering respondent's conduct, 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; 612 NW2d 407 (2000); MCL 712A.19b(5). The trial court did not err in terminating respondent's parental rights to the children. *In re Trejo, supra* at 356-357.

Affirmed.

/s/ Kirsten Frank Kelly
/s/ Donald S. Owens
/s/ Bill Schuette