

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of BRANDIE MARIE WATSON,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANTHONY STEWART,

Respondent-Appellant,

and

KIMBERLY MARIE WATSON,

Respondent.

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UNPUBLISHED

April 24, 2008

No. 279526

Wayne Circuit Court

Family Division

LC No. 02-407299-NA

Before: Bandstra, P.J., and Fitzgerald and Markey, JJ.

MEMORANDUM.

Respondent Anthony Stewart appeals as of right from an order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j). We affirm.

The trial court did not clearly err in determining that the statutory grounds had been established by clear and convincing evidence. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633: 593 NW2d 520 (1999). At the time of adjudication, respondent was not involved in the minor child's life and was approximately \$40,000 in arrears in child support. When his rights were terminated, the minor child had been a temporary ward of the court for over two years, and there had been custody proceedings involving the minor child before that time. Respondent appeared at only two of the hearings: the pretrial on the original petition on October 6, 2005, and the review hearing on August 4, 2006, when the petition for termination of his rights was dismissed. After this hearing, the minor child remained a temporary ward of the trial court, and respondent was ordered to contact petitioner and comply with the terms of a parent agency agreement. Respondent did contact petitioner after that by telephone, and an appointment was made but respondent did not keep the appointment. Respondent contacted petitioner once again in February 2007, went into the agency's office, and petitioner reviewed the parent agency agreement with him. A printed version of the plan was not available at that time, and respondent

was told it would be given to him at the next court hearing and was told the date and time of that hearing. Respondent did not appear at the hearing, and petitioner did not hear from him again. He did not appear at the termination trial. Respondent did not comply with any of the terms of the parent agency agreement.

Respondent claims on appeal that petitioner did not give him any referrals for services to assist him. Clearly respondent did not take any action to comply with any of the terms of the parent agency agreement and is looking for someone else to blame. It appears from the record that the minor child and respondent have never had a relationship and respondent never took advantage of the visitation that he was allowed with the minor child.

The trial court also did not err in its best interests determination. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 612 NW2d 407 (2000). Respondent had no relationship with the minor child and had made no effort to even visit with the minor child despite the court allowing respondent visitation. The minor child had been in temporary care for years and was entitled to stability.

Affirmed.

/s/ Richard A. Bandstra  
/s/ E. Thomas Fitzgerald  
/s/ Jane E. Markey