

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JUSTIN SIMMONS, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

BRANDON T. SIMMONS,

Respondent-Appellant.

UNPUBLISHED

April 29, 2008

No. 281365

Wayne Circuit Court

Family Division

LC No. 07-463203-NA

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

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(b)(i), (g), (j), (k)(iii), and (k)(v). 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 MCL 712A.19b(3)(b)(i), (j), (k)(iii), and (k)(v) were each established by clear and convincing evidence. *In re Archer*, 277 Mich App 71, 73; 744 NW2d 1 (2007). Respondent repeatedly physically abused his son, striking him about the face and midsection, causing bruises, a potentially fatal liver contusion, and a broken rib. The evidence indicated that significant force was required to inflict the injuries to the midsection. Further, the evidence did not clearly show that termination of respondent's parental rights was not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000). Therefore, the trial court did not err in terminating respondent's parental rights to the child. *Id.* at 356-357.

We affirm.

/s/ Richard A. Bandstra

/s/ E. Thomas Fitzgerald

/s/ Jane E. Markey