

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DIAMOND NICOLE
FLOURNOY, EBONIQUE EDINA FLOURNOY,
and JASON LEVI JUSTICE II, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DAWN N. FLOURNOY, TREVON S. SAPP, and
HARRY L. LOCKHART,

Respondents,

and

JASON L. JUSTICE,

Respondent-Appellant.

UNPUBLISHED

October 21, 2008

No. 284947

Wayne Circuit Court

Family Division

LC No. 06-456503-NA

Before: Servitto, P.J. and Donofrio and Fort Hood, JJ.

MEMORANDUM.

Respondent, Jason Justice, appeals as of right from a circuit court order terminating his parental rights to his son, Jason Justice, pursuant to MCL 712A.19b(3)(a)(ii) (desertion), (c)(i) (conditions leading to adjudication continue to exist), (g) (failure to provide proper care or custody), and (j) (risk of harm to child if placed with parent). Because petitioner established a statutory basis for termination of respondent father's parental rights by clear and convincing evidence and termination was not contrary to the child's best interests, we affirm.

The trial court did not clearly err in finding that §§ 19b(3)(c)(i), (g), and (j) were each established by clear and convincing evidence. *In re Archer*, 277 Mich App 71, 73; 744 NW2d 1 (2007). Respondent made progress with the service plan and reunification was expected once he was able to successfully manage four unsupervised weekend visits, but he never completed the four weekend visits. He then stated that he did not want to plan for his son, stopped visiting the child altogether, and ceased all contact with the agency. Because grounds for termination were clearly established under §§ 19b(3)(c)(i), (g), and (j), any error in relying on § 19b(3)(a)(ii) as an

additional basis for termination was harmless. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

Further, the evidence did not clearly show that termination of respondent's parental rights was not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). The trial court did not clearly err in terminating respondent's parental rights to the children. *Id.* at 356-357.

Affirmed.

/s/ Deborah A. Servitto

/s/ Pat M. Donofrio

/s/ Karen M. Fort Hood