

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of TALECKA MONAY EVANS and  
EVERETTE DEMARLO MCDANIEL, JR.,  
Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

RHONDA R. GREEN and TALECKO A.  
EVANS,

Respondents,

and

EVERETTE MCDANIEL,

Respondent-Appellant.

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UNPUBLISHED

May 7, 2009

No. 288568

Wayne Circuit Court

Family Division

LC No. 06-460027-NA

Before: Borrello, P.J., and Murphy and M.J. Kelly, JJ.

MEMORANDUM.

Respondent Everette McDaniel appeals as of right from a circuit court order terminating his parental rights to Everette McDaniel, Jr., pursuant to MCL 712A.19b(3)(a)(ii), (c)(i), (g), (h), and (j). We affirm. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

A trial court may terminate parental rights upon finding that at least one statutory ground for termination has been proven by clear and convincing evidence. MCR 3.977(G); *In re Trejo*, 462 Mich 341, 360; 612 NW2d 407 (2000). The trial court's findings of fact are reviewed for clear error. *Id.* at 356-357. Respondent argues that the trial court erred in finding that termination was warranted under § 19b(3)(c)(i), but does not address the remaining statutory grounds for termination cited by the trial court. Where a respondent does not challenge the trial court's determination regarding one or more of several statutory grounds, this Court may assume that the trial court did not clearly err in finding that the unchallenged grounds were proven by clear and convincing evidence. See *In re JS & SM*, 231 Mich App 92, 98-99; 585 NW2d 326 (1998), overruled in part on other grounds by *In re Trejo, supra* at 353. Further, respondent's

failure to address an issue that must necessarily be reached to reverse the trial court precludes appellate relief. *City of Riverview v Sibley Limestone*, 270 Mich App 627, 638; 716 NW2d 615 (2006). Thus, respondent's failure to address the trial court's determination that termination was also warranted under §§ 19b(3)(a)(ii), (g), (h), and (j) precludes relief on appeal.

Even assuming that the trial court erred in relying on § 19b(3)(c)(i) as a statutory basis for termination, the error was harmless because the trial court did not clearly err in finding that termination was warranted under §§ 19b(3)(a)(ii), (g), and (j). *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000). Respondent had been imprisoned for the majority of the child's life and left the child with Rhonda Green, who was an unfit custodian. Respondent was paroled from prison in 2002, but returned in 2004 and was not due to be released until early 2009. He had at most corresponded with his son one time since returning to prison. The evidence also showed that it would take six months to a year following his release for respondent to work toward reunification.

Affirmed.

/s/ Stephen L. Borrello  
/s/ William B. Murphy  
/s/ Michael J. Kelly