

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ARNELL AVENT, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

FRANCIS AVENT and DANIELLEKAY
AVENT,

Respondents-Appellants.

UNPUBLISHED

May 7, 2009

No. 289249

Cheboygan Circuit Court

Family Division

LC No. 07-004244-NA

Before: Sawyer, P.J., and Murray and Stephens, JJ.

MEMORANDUM.

Respondents appeal as of right from a circuit court order terminating their parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j). We affirm. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

Although respondents argue that the trial court clearly erred in finding that the statutory grounds for termination were established by clear and convincing evidence, their argument is confined to § 19b(3)(g). 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 *In re Trejo Minors*, 462 Mich 341, 353; 612 NW2d 407 (2000). Further, a 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, respondents' failure to address the trial court's decision with respect to §§ 19b(3)(c)(ii), (g), and (j) precludes relief with respect to the existence of a statutory ground for termination.

Nonetheless, having reviewed the record, we conclude that the trial court did not clearly err in finding that §§ 19b(3)(c)(ii), (g), and (j) were each established by clear and convincing evidence. MCR 3.977(G); *In re Trejo*, *supra* at 356. Petitioner provided respondents with extensive services prior to this child's removal from the home attendant to other then-pending abuse and neglect cases. They continued to be offered services since this child's removal from

the home but failed to make sufficient progress such that the child could be entrusted to their care without supervision.

Further, the trial court did not clearly err in finding that termination of respondents' parental rights was in the child's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 356-357. Thus, the trial court did not err in terminating respondents' parental rights.

Affirmed.

/s/ David H. Sawyer

/s/ Christopher M. Murray

/s/ Cynthia Diane Stephens