

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ZACHARY ALAN PASH, Minor.

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

DANA DEAN PASH,

Respondent-Appellant,

and

JAMES TURNER,

Respondent.

UNPUBLISHED

September 30, 1997

No. 193738

Genesee Juvenile Court

LC No. 94-099447-NA

Before: O'Connell, P.J., and White and C. F. Youngblood*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the juvenile court order terminating her parental rights to the minor child under MCL 712A.19b(3)(b)(i), (c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(b)(i), (c)(i), (g) and (j). We affirm.

On appeal from termination of parental rights proceedings, this Court reviews the probate court's findings of fact under the clearly erroneous standard. *In re Conley*, 216 Mich App 41, 42; 549 NW2d 353 (1996). Once the probate court finds at least one statutory ground for termination to be supported by clear and convincing evidence, the court must terminate the respondent's parental rights unless the respondent can show that termination is clearly not in the child's best interests. *In re Hall-*

* Circuit judge, sitting on the Court of Appeals by assignment.

Smith, 222 Mich App 470, 472-473; ___ NW2d ___ (1997). Thus, the decision to terminate is now non-discretionary and is reviewed for clear error. *Id.* A finding is clearly erroneous if, although there is evidence to support it, this Court is left with a definite and firm conviction that a mistake has been made. *In re Conley, supra*

The juvenile court's findings on the statutory factors were supported by clear and convincing evidence. *In re Conley, supra.* Respondent-appellant failed to demonstrate that termination of her parental rights was clearly not in the best interest of the child. Hence, the juvenile court's decision to terminate respondent-appellant's parental rights was not clearly erroneous. *In re Hall-Smith, supra.*

Affirmed.

/s/ Peter D. O'Connell

/s/ Helene N. White

/s/ Carole F. Youngblood