

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MELISSA COSTANZO, Minor

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

GORDON ANTHONY CONSTANZO,

Respondent-Appellant.

UNPUBLISHED
October 10, 1997

No. 196068
Genesee Juvenile Court
LC No. 92-090464-NA

Before: Doctoroff, P.J., and Cavanagh and Saad, J.J.

MEMORANDUM.

Respondent appeals as of right from the juvenile court order that terminated his parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (c)(i), (c)(ii) and (g); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i), (c)(ii) and (g). We affirm.

The juvenile court did not err in finding that statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Once a statutory ground for termination has been met by clear and convincing evidence, MCL 712A.19b(5); MSA 27.3178(598.19b)(5) requires a parent to put forth evidence that termination is clearly not in the child's best interest. *In re Hall-Smith*, 222 Mich App 470, 473; 564 NW2d 156 (1997). Absent any evidence addressing this issue by the parent, termination of parental rights is mandatory. *Id.* In this case, respondent failed to put forth any evidence from which the juvenile court could conclude that termination was clearly not in the child's best interest. Hence, the juvenile court's decision to terminate respondent's parental rights was in conformity with the requirements of MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

Affirmed.

/s/ Martin M. Doctoroff

/s/ Mark J. Cavanagh

/s/ Henry W. Saad