

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MICHAEL SAMPSON, III, Minor

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHAEL SAMPSON,

Respondent-Appellant,

and

SAUNDRA WASHINGTON,

Respondent.

UNPUBLISHED
February 27, 1998

No. 204890
Washtenaw Juvenile Court
LC No. 96-024057-NA

Before: Michael J. Kelly, P.J., and Fitzgerald and M.G. Harrison*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the juvenile court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i). We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E).

The juvenile court did not err in finding that the statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Moreover, respondent-appellant failed to demonstrate that he was afforded insufficient time within which to comply with the terms of the dispositional order prior to the termination of his rights. The order terminating his parental rights was entered more than fourteen months after the original dispositional order. In addition, there is no authority to support respondent-appellant's position that the time he was incarcerated should not have been considered by the court when determining whether the statutory ground articulated in subsection (3)(c)(i) was met by clear and convincing evidence.

Affirmed.

/s/ Michael J. Kelly
/s/ E. Thomas Fitzgerald
/s/ Michael G. Harrison

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