

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of QUINTON DELPROPOSTO, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ELIZABETH DELPROPOSTO,

Respondent-Appellant,

and

BYSAMSKY MILLER,

Respondent.

UNPUBLISHED

September 11, 1998

No. 205042

Genesee Juvenile Court

LC No. 95-102472 NA

Before: Holbrook, Jr., P.J., and Wahls and Cavanagh, JJ.

MEMORANDUM.

Respondent mother appeals as of right the juvenile court order terminating her parental rights pursuant to MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j); MSA 27.3178(598.19b)(c)(i), (c)(ii), (g), and (j). We affirm.

In order to terminate parental rights, the juvenile court must find that at least one of the statutory grounds for termination has been met by clear and convincing evidence. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). Once a statutory ground for termination has been met by clear and convincing evidence, the court shall order termination of parental rights, unless the court finds that termination of parental rights is clearly not in the best interests of the child. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 473; 564 NW2d 156 (1997). Although the burden of proof rests with petitioner, respondent has the responsibility “to put forth at least some evidence that termination is clearly not in the child’s best interest.” *In re Hall-Smith, supra* at 473.

Our review of the record yields the conclusion that the juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Hamlet (After Remand)*, 225 Mich App 505, 515; 571 NW2d 750 (1997). Further, the court did not err in finding that the presumption in favor of termination was not overcome by a showing that termination of respondent's parental rights "is clearly not in the child's best interests." MCL 712A.19b(5); MSA 27.3178(589.19b)(5). Accord *In re Hall-Smith, supra* at 473. Therefore, we hold that the juvenile court did not err in terminating respondent's parental rights. *Id.*

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Myron H. Wahls

/s/ Mark J. Cavanagh