

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of EMILY J. FRASER, JAMES  
HENRY and DAMIAN WILLIAM FRASER, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DAMIAN FRASER, SR.,

Respondent-Appellant,

and

MARCIA LUTZ,

Respondent.

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UNPUBLISHED

September 18, 1998

No. 204792

Ingham Juvenile Court

LC No. 00-003966

Before: Hood, P.J., and Griffin and O'Connell, JJ.

MEMORANDUM.

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

The juvenile court did not clearly err in finding that the 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). Contrary to his claim, respondent-appellant was provided a reasonable opportunity to demonstrate that he could properly care for his children. Further, respondent-appellant's parental rights were not terminated because of his estranged wife's actions; rather, respondent-appellant's own actions led to the termination of his parental rights.

Finally, respondent-appellant failed to show that termination of his parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the juvenile court did not err in terminating respondent-appellant's parental rights to the children. *Id.*

Affirmed.

/s/ Harold Hood

/s/ Richard Allen Griffin

/s/ Peter D. O'Connell