

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DAVID E. UPSHAW, DWAYNE L.
PRATT, DWAN MAURICE PRATT, DANIEL
PRATT, DERRICK L. UPSHAW and DOMINIQUE
FAYE PRATT, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHIRLEY UPSHAW,

Respondent-Appellant,

and

DAVID PRATT,

Respondent.

UNPUBLISHED

September 18, 1998

No. 207343

Berrien Juvenile Court

LC No. 96-000012 NA

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

MEMORANDUM.

Respondent Shirley Upshaw appeals as of right from a juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (ii), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i) and (ii), (g) and (j). This case is being decided without oral argument pursuant to MCR 7.214(E). 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). Further, respondent Upshaw failed to show that termination of her parental rights

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

Affirmed.

/s/ Harold Hood

/s/ Richard Allen Griffin

/s/ Peter D. O'Connell