

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ANNA WILKINSON, Minor.

BETHANY CHRISTIAN SERVICES and NICOLE
JEAN WILKINSON,

UNPUBLISHED
October 2, 1998

Petitioners-Appellees,

v

No. 204217
Ottawa Juvenile Court
LC No. 00-000784

MICHAEL DANIEL BECK-JACOBS,

Respondent-Appellant.

Before: Whitbeck, P.J., and McDonald and T. G. Hicks*, JJ.

MEMORANDUM.

Following a hearing, the juvenile court terminated respondent's parental rights under § 39 of the Michigan Adoption Code, MCL 710.39; MSA 27.3178(555.39). Respondent appeals as of right. We affirm. We decide this case without oral argument pursuant to MCR 7.214(E).

The juvenile court did not clearly err in finding that respondent failed to provide reasonable support or care to the mother or child within the meaning of MCL 710.39(2); MSA 27.3178(555.39)(2). *In re Gaipa*, 219 Mich App 80; 555 NW2d 867 (1996); *In re Ballard*, 219 Mich App 329, 331; 556 NW2d 196 (1996). Respondent had the ability to provide financial support to the mother during pregnancy, but failed to do so. Neither the mother's outright refusal to accept baby items from respondent's family nor her failure to answer respondent's two offers of support constituted impeding respondent from providing support or care. Given the applicable legal principles and the divergent testimony of the witnesses at the hearing, we conclude that the juvenile court's finding that respondent did not meet the requirements of § 39(2) is not clearly erroneous. Accordingly, we affirm the order terminating respondent's parental rights.

Affirmed.

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

/s/ William C. Whitbeck

/s/ Gary R. McDonald

/s/ Timothy G. Hicks