

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of HERMAN HOWARD III and
DI'MOND JOHNSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOYMOND EDELL GILLESPIE,

Respondent-Appellant,

and

HERMAN HOWARD, CHARLES JOHNSON
and GEORGE D. LYONS,

Respondents.

UNPUBLISHED

February 19, 1999

No. 211019

Wayne Circuit Court

Family Division

LC No. 93-308121

Before: Murphy, P.J., and MacKenzie and Talbot, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the lower court order terminating her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The lower 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-appellant failed to show that termination of her 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). In

light of its findings, the lower court did not err in terminating respondent-appellant's parental rights and in refusing to place the children with respondent's mother. *Id.*; *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991).

Affirmed.

/s/ William B. Murphy

/s/ Barbara B. MacKenzie

/s/ Michael J. Talbot