

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRANDI VAUGHN, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

FLOYD JONES,

Respondent-Appellant,

and

TONY LOVE and ANGELA VAUGHN,

Respondents.

UNPUBLISHED

February 19, 1999

No. 211522

Kent Circuit Court

Family Division

LC No. 97-034601 NA

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

MEMORANDUM.

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

At the time the initial petition was filed, respondent was not a noncustodial parent entitled to statutory service of process. MCL 712A.12; MSA 27.3178(598.12); MCR 5.903(A)(12); MCR 5.903(A)(4). *In re Gillespie*, 197 Mich App 440; 496 NW2d 309 (1992). Thus, the court was not without jurisdiction to terminate his parental rights. *Id.*

Affirmed.

/s/ William B. Murphy

/s/ Barbara B. MacKenzie

/s/ Michael J. Talbot