

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KAYLEA RAE TIPPETT, Minor.

JOELLEN and JOHN PAUL GUTHERIE,

Petitioners-Appellees,

v

MICHAEL O'BRIEN TIPPETT, II,

Respondent-Appellant.

UNPUBLISHED

March 2, 1999

No. 213113

Lapeer Circuit Court

Family Division

LC No. 00-002503

In the Matter of MICHAEL O'BRIEN TIPPETT, III,
Minor.

JOELLEN GUTHRIE and JOHN PAUL GUTHRIE,

Petitioners-Appellees,

v

MICHAEL O'BRIEN TIPPETT, II,

Respondent-Appellant.

No. 213236

Lapeer Circuit Court

Family Division

LC No. 00-002504

Before: McDonald, P.J., and Hood and Doctoroff, JJ.

MEMORANDUM.

Respondent appeals by delayed leave granted the family court's order terminating his parental rights to the minor children under § 51(6) of the Adoption Code, MCL 710.51(6); MSA 27.3178(555.51)(6). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The family court did not abuse its discretion in denying respondent's motion for an adjournment. *Soumis v Soumis*, 218 Mich App 27, 32; 553 NW2d 619 (1996). Also, the family court did not clearly err in finding by clear and convincing evidence that termination of respondent's parental rights was warranted. *In re Hill*, 221 Mich App 683, 691; 562 NW2d 254 (1997). Although respondent was prohibited by a court order from visiting with his children, he was not prohibited from otherwise contacting or communicating with them, yet he regularly and substantially failed or neglected to do so for two or more years preceding the filing of the petition. *Id.*

Affirmed.

/s/ Gary R. McDonald

/s/ Harold Hood

/s/ Martin M. Doctoroff