

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SALOJAN HOWARD, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SYLVIA ROBINSON,

Respondent-Appellant.

UNPUBLISHED

May 28, 1999

No. 214650

Wayne Circuit Court

Family Division

LC No. 98-367654

Before: Griffin, P.J., and Cavanagh and Fitzgerald, JJ.

MEMORANDUM.

Respondent appeals as of right from the family court order assuming jurisdiction over her minor child under MCL 712A.2(b)(1); MSA 27.3178(598.2)(b)(1). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The family court's finding that the child comes within the statutory provisions is supported by a preponderance of the evidence. MCR 5.972(C)(1); *In re Brock*, 442 Mich 101, 108-109; 499 NW2d 752 (1993). There was uncontroverted evidence that the minor child, age eleven, was left alone for ten hours in a home that she was unable to exit and that others were unable to enter due to security bars on the doors and windows. There was also testimony regarding the dirty condition of the home and testimony describing bruises on the child, which were allegedly caused by respondent throwing things at her. Finally, we are not persuaded by respondent's claim that the evidence did not support the assumption of jurisdiction merely because petitioner did not call either the child or her father to verify the above testimony.

Affirmed.

/s/ Richard Allen Griffin
/s/ Mark J. Cavanagh
/s/ E. Thomas Fitzgerald