

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TRENTON H. JAMES CUNDIFF,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

WILLIAM L. KULICK,

Respondent-Appellant.

UNPUBLISHED

June 8, 1999

No. 205672

Shiawassee Juvenile Court

LC No. 97-008347-NA

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

MEMORANDUM.

Respondent appeals as of right from an order adjudicating his minor son a temporary ward of the probate court following a jury trial. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

We have reviewed the record and conclude that the allegations contained in the petition were proven by a preponderance of the evidence and were sufficient to support the assumption of jurisdiction over the minor child. *In re Systma*, 197 Mich App 453, 454-455; 495 NW2d 804 (1992); *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992). Although respondent challenges the admission of evidence regarding some administrative disciplinary proceedings, it is clear that the jury would have found jurisdiction in any event in light of the strength and weight of the remaining evidence. Thus, any error in the admission of this evidence did not cause the probate court to improperly assume jurisdiction and, therefore, is harmless. *In re Gass*, 173 Mich App 444, 446; 434 NW2d 427 (1988); *In re Ferris*, 151 Mich App 736, 744-745; 391 NW2d 468 (1986). See also *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992). Finally, we find no merit in respondent's claim that the court could not assume jurisdiction over the minor child because respondent did not contractually agree with the State of Michigan to be bound by its laws.

Affirmed.

/s/ Richard Allen Griffin

/s/ Mark J. Cavanagh

/s/ E. Thomas Fitzgerald