

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of HALLA BUSSING, PATRICK ROE
and DYLAN STECK, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES ROE,

Respondent-Appellant,

and

ANDREA BUSSING,

Respondent.

UNPUBLISHED

September 17, 1999

No. 216129

Kalamazoo Circuit Court

Family Division

LC No. 97-000047 NA

Before: Markman, P.J., and Saad and P.D. Houk,* JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the family court order terminating his parental rights to his daughter, Halla Bussing, under MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Respondent-appellant's challenge to the accuracy of his no contest plea is not preserved for appeal because he did not move to withdraw his plea in the trial court. *In re Campbell*, 170 Mich App 243, 249-250; 428 NW2d 347 (1988). In any event, the record indicates that the trial court reviewed all of the reports filed in the case before accepting respondent-appellant's plea, and those documents established sufficient factual support for the court's findings that termination was justified under § 19b(3)(g), and that termination of parental rights was also in the best interests of the child. MCR

* Circuit judge, sitting on the Court of Appeals by assignment.

5.971(C)(2). The trial court's failure to state why a plea of no contest was appropriate does not warrant reversal because it is clear from the record that the parties and the court all believed that a no contest plea was appropriate because of concern over criminal liability. See *People v Byrd*, 150 Mich App 624, 628; 389 NW2d 710 (1986); *People v Johnson*, 150 Mich App 568, 570-571; 389 NW2d 133 (1986).

Affirmed.

/s/ Stephen J. Markman

/s/ Henry William Saad

/s/ Peter D. Houk