

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JANE DERBY and GERALD
HALLADAY, III, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

PAULA DERBY,

Respondent-Appellant.

UNPUBLISHED

February 11, 2000

No. 220129

Kent Circuit Court

Family Division

LC No. 94-044000-NA

Before: O'Connell, P.J., and Meter and T. G. Hicks*, JJ.

MEMORANDUM.

Respondent appeals as of right from a family court order terminating her parental rights to two minor children under MCL 712A.19b(3)(c)(i), (g), and (i); MSA 27.3178(598.19b)(c)(i), (g), and (i).¹ We affirm.

The family court did not clearly err in finding that statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent failed to show that termination of her parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, we reject respondent's claim that the family court improperly terminated her parental rights.

Affirmed.

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

/s/ Peter D. O'Connell

/s/ Patrick M. Meter

/s/ Timothy G. Hicks

¹ Although the family court's decision identifies §19b(3)(f) as one of the applicable grounds for termination, it is apparent from the context of the court's discussion, as well as the language referenced by the court, that it was actually relying on § 19b(3)(i) as the statutory basis for termination.