

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of NICHOLAS LOCICCHIO, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOHNNA LOCICCHIO,

Respondent-Appellant,

and

KELLY G. KNIBBE,

Respondent.

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UNPUBLISHED

July 14, 2000

No. 219127

Lapeer Circuit Court

Family Division

LC No. 97-001654-NA

Before: Wilder, P.J., and Holbrook, Jr. and McDonald, JJ.

MEMORANDUM.

Respondent-appellant appeals by delayed leave granted from a family court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i). We affirm.

The claim alleged in the initial petition was of the class that the trial court was authorized to adjudicate and was not clearly frivolous, thereby establishing the court's subject-matter jurisdiction over the proceeding. *In re Hatcher*, 443 Mich 426, 444; 505 NW2d 834 (1993). Respondent's arguments on appeal involve challenges to the court's exercise of jurisdiction. *Id.* Pursuant to *In re Hatcher*, respondent was required to raise these issues in a direct appeal of the jurisdictional decision and may not now collaterally attack the court's exercise of jurisdiction in this appeal from the order terminating her parental rights. *Id.*; see also *In re Powers*, 208 Mich App 582, 587-588; 528 NW2d 799 (1995).

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Gary R. McDonald

/s/ Kurtis T. Wilder