

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of VENA DENISE LANE, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

UNRE LANE,

Respondent-Appellant.

UNPUBLISHED

October 31, 2000

No. 220875

Wayne Circuit Court

Family Division

LC No. 97-360552

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

MEMORANDUM.

Respondent appeals by delayed leave granted from a family court order exercising jurisdiction over the minor child. We affirm. This case has been decided without oral argument pursuant to MCR 7.214(E)(1).

The family court did not clearly err in finding that the facts alleged in the petition were proven by a preponderance of the evidence and established a statutory basis for jurisdiction. MCR 5.972(C)(1); MCL 712A.2(b)(2); MSA 27.3178(598.2)(b)(2); *In re Hatcher*, 443 Mich 426, 433-435; 505 NW2d 834 (1993); *In re Toler*, 193 Mich App 474, 476; 484 NW2d 672 (1992). The evidence supported a finding that appellant-father was a schizophrenic drug abuser who held a gun to his daughter's head and had a sexual relationship with her 16-year old girlfriend. Culpable neglect need not be shown for the court properly to exercise jurisdiction. *In re Middleton*, 198 Mich App 197, 199; 497 NW2d 214 (1993).

Affirmed.

/s/ Richard Allen Griffin

/s/ Mark J. Cavanagh

/s/ Hilda R. Gage