STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of MERCIDEZE DIXON, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ERIC BRIAN DIXON,

Respondent-Appellant,

and

DENISE DIXON,

Respondent.

UNPUBLISHED
February 20, 2001

No. 228232
Mecosta Circuit Court
Family Division
LC No. 98-003492-NA

Before: Meter, P.J., and Neff and O'Connell, JJ.

PER CURIAM.

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

Respondent first argues that the family court erred in finding that the minor child was not an Indian child as defined by the Indian Child Welfare Act (ICWA), 25 USC 1901 *et seq*. The record indicates that the required notices were sent to the applicable tribes in accordance with 25 USC 1912. Although respondent argues that the court failed to ascertain if he had a relationship with the Ottawa tribe, we conclude that the court did not err in failing to contact the Ottawa tribe where respondent did not identify that tribe until closing arguments of the termination hearing, provided no explanation for why he now believed that he may have a possible relationship with that tribe rather than the Crow or Cherokee tribes, and never requested an adjournment to further investigate that question.

Next, contrary to what respondent argues, the family court did not clearly err in finding that §§ 19b(3)(g) and (h) were each established by clear and convincing evidence. MCR 5.974; *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

Respondent also argues that the presentence report contained hearsay, which was improperly considered at the termination hearing because it concerned a circumstance different from the circumstances that led to the court's assumption of jurisdiction. See MCR 5.974(E)(1); *In re Snyder*, 223 Mich App 85, 89-90; 566 NW2d 18 (1997). Respondent maintains that this hearsay evidence served as the basis for the court's decision to terminate his parental rights under §§ 19b(3)(j) and (n) and, therefore, requires reversal. However, respondent failed to preserve this issue with an appropriate objection to the evidence at trial. *People v Griffin*, 235 Mich App 27, 44; 597 NW2d 176 (1999); MRE 103(a)(1); *Anton v State Farm*, 238 Mich App 673, 688; 607 NW2d 123 (1999). Furthermore, our failure to consider this issue will not result in manifest injustice, given our conclusion that termination was properly ordered under §§ 19b(3)(g) and (h), and respondent does not argue that the challenged information affected the court's decision to terminate under those statutory subsections. See *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991) (only one statutory ground is required to support a decision to terminate parental rights).

Respondent's claim that he did not have notice to defend against § 19b(3)(n) is not raised in respondent's statement of the questions presented and, therefore, is not properly before this Court. *Hammack v Lutheran Social Services*, 211 Mich App 1, 7; 535 NW2d 215 (1995).

Affirmed.

/s/ Patrick M. Meter
/s/ Janet T. Neff
/s/ Peter D. O'Connell