

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

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In the Matter of LANIECE ANGELETTE DAVIS,  
Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TINA LYNETTA BARNES,

Respondent-Appellant,

and

LAMARR CURTIS DAVIS,

Respondent.

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In the Matter of LANIECE ANGELETTE DAVIS,  
Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LAMARR CURTIS DAVIS

Respondent-Appellant,

and

TINA LYNETTA DAVIS,

UNPUBLISHED  
February 27, 2001

No. 225397  
Wayne Circuit Court  
Family Division  
LC No. 97-361554

No. 225402  
Wayne Circuit Court  
Family Division  
LC No. 97-361554

Respondent.

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Before: Smolenski, P.J., and Jansen and Fitzgerald, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right the order terminating their parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence with respect to respondent Tina Barnes. MCR 5.974; *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Considering that the child was born premature and addicted to cocaine, and that respondent Barnes failed to follow through with referrals for substance abuse treatment or comply with other material aspects of the case service plan, we find no merit to respondent's claim that petitioner failed to make reasonable efforts to prevent the child's removal or rectify the conditions causing her removal. Further, the evidence did not show that termination of Barnes' parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo*, 462 Mich 341; 612 NW2d 407 (2000). Thus, the family court did not err in terminating respondent Barnes' parental rights to the child. *Id.*

The trial court did not clearly err in finding that §§ 19b(3)(g) and (j) were established by clear and convincing evidence with respect to respondent Lazaar Davis.<sup>1</sup> MCR 5.974; *In re Miller, supra*. Finally, we conclude that respondent Davis' challenge regarding the sufficiency of service for the termination proceeding is waived, given that Davis had previously advised the court that he was waiving notice of all further proceedings in light of his position that he was not the child's father. See *People v Carter*, 462 Mich 206; 612 NW2d 144 (2000).

Affirmed.

/s/ Michael R. Smolenski

/s/ Kathleen Jansen

/s/ E. Thomas Fitzgerald

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<sup>1</sup> The court also terminated respondent Davis' parental rights pursuant to § 19b(3)(c)(i). Because only one statutory ground is necessary to terminate parental rights, *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991), and because we have concluded that termination was proper under §§ 19b(3)(g) and (j), we need not consider whether termination was warranted under § 19b(3)(c)(i), with respect to respondent Davis.