

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BSM, Jr., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

BYRON MARSH, SR.,

Respondent-Appellant.

UNPUBLISHED

November 30, 2001

No. 233560

Ingham Circuit Court

Family Division

LC No. 00-331972-NA

Before: White, P.J., and Talbot and E.R. Post*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(h). We affirm.

The trial court did not clearly err in finding that § 19b(3)(h) was established by clear and convincing evidence. MCR 5.974(I), *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Because the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests, the trial court did not err in terminating his parental rights. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Helene N. White

/s/ Michael J. Talbot

/s/ Edward R. Post

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