

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JERMELL ANTHONY NELSON,
JERELL MARTEZ WADLEY, GERALD
MICHAEL WADLEY, JARON TYRON
WADLEY, and NICOLE RENEE WADLEY,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
April 23, 2002

V

HAROLD WADLEY,

Respondent-Appellant,

No. 235121
Wayne Circuit Court
Family Division
LC No. 99-381560

and

VERONICA MARIE NELSON,

Respondent.

Before: Gage, P.J., and Griffin and Buth*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The evidence was uncontroverted that respondent was not caring for his children at the time protective services became involved with him. His whereabouts were unknown; he had never made any payments toward his child support obligation and he rarely visited with the children. The children, all five of them, were unmanageable and the father was unable to take full time custody of these five children. He had been incarcerated for domestic violence and drug possession during this period of time. He did not complete his plan that was set forth for

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

him and the trial court correctly concluded there was no reasonable expectation that respondent would be able to care for the children within a reasonable time.

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

Affirmed.

/s/ Hilda R. Gage
/s/ Richard Allen Griffin
/s/ George S. Buth