STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of A.A.M. and H.M.M., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DONALD JONES II,

Respondent-Appellant,

and

DIONE DARSELL MCCLAIN and STEPHEN TEREZ BELLEFANT,

Respondents.

UNPUBLISHED
July 23, 2002

No. 236032
Wayne Circuit Court
Family Division
LC No. 86-252279

Before: Talbot, P.J., and Cooper and D.P. Ryan*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights to the minor child, A.A.M., under MCL 712A.19b(3)(a)(ii), (h), (g) and (j).[1] We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

As an initial matter, respondent-appellant's contention that he was not provided notice that the petition seeking termination of the mother's parental rights also sought termination of his parental rights is without merit. Although the petition failed to specifically request that his rights be terminated, such defect was technical and did not erode the fact of the actual notice because the attached allegations provided ample notice of the proofs he would need to overcome termination. *In re Perry*, 193 Mich App 648, 651; 484 NW2d 768 (1992); *In re Slis*, 144 Mich

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

[1] Respondent-appellant does not challenge the termination of his parental rights to the child, H.M.M.

App 678, 684; 375 NW2d 788 (1985). Furthermore, he was represented by counsel at the preliminary hearing.

This Court reviews factual findings in termination of parental rights proceedings under the clearly erroneous standard. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. Because termination of respondent-appellant's parental rights under MCL 712A.19b(3)(a)(ii), (g), and (h) was supported by clear and convincing evidence and only one statutory ground for termination must be established in order to terminate parental rights, this Court need not decide whether termination was also proper under §19b(3)(j). *In re Trejo*, 462 Mich 341, 350; 612 NW2d 407 (2000).

Furthermore, considered in its entirety, the evidence did not show that termination was clearly contrary to the child's best interests. MCL 712A.19b(5). *In re Trejo, supra* at 356-357.

Affirmed.

/s/ Michael J. Talbot
/s/ Jessica R. Cooper
/s/ Daniel P. Ryan