

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of B.M., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOHN MIESIACZEK,

Respondent-Appellant.

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UNPUBLISHED

July 30, 2002

No. 238378

Mecosta Circuit Court

Family Division

LC No. 00-003932-NA

Before: Murray, P.J., and Sawyer and Zahra, JJ.

MEMORANDUM.

Respondent appeals as of right from the circuit court order terminating his parental rights to the minor child under MCL 712A.19b(3)(g) and (h). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The circuit 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 child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Therefore, the circuit court did not err in terminating respondent-appellant's parental rights to the minor child. The trial court also did not abuse its discretion in denying respondent's defective motion to disqualify. MCR 2.003; *Cain v Dep't of Corrections*, 451 Mich 470, 496-497; 598 NW2d 210 (1996); *In re Contempt of Steingold*, 244 Mich App 153, 160; 624 NW2d 504 (2000).

Affirmed.

/s/ Christopher M. Murray

/s/ David H. Sawyer

/s/ Brian K. Zahra