

STATE OF MICHIGAN
COURT OF APPEALS

ADRIENNE MITCHELL,

Plaintiff-Appellee,

v

BEVERLY A. MOORE,

Defendant-Appellant.

UNPUBLISHED
December 18, 2003

No. 243012
Wayne Circuit Court
LC No. 02-251317-DS

Before: Fitzgerald, P.J., and Neff and White, JJ.

MEMORANDUM.

Defendant appeals as of right the trial court's order requiring her to pay support for her son. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Defendant is the mother of a son (DOB 12-2-86). The Family Independence Agency (FIA) filed suit on behalf of plaintiff, defendant's adult daughter and the legal guardian of defendant's son, seeking an order requiring defendant to pay support for her son. The Friend of the Court recommended that defendant pay \$58 per week in child support. Defendant objected to the recommendation on the ground that the child's father had been ordered to pay support for the child.¹ The trial court held a de novo hearing at which defendant presented pay stubs and a list of her debts. The trial court imputed income to defendant in the amount of \$350 per week gross, reduced by statutory deductions to \$265 per week net, and adopted the FOC's alternate recommendation that defendant be ordered to pay child support in the amount of \$70 per week.

The biological parents of a child are jointly and severally obligated to support the child unless a court modifies or terminates the obligation or the child is emancipated by operation of law. MCL 722.3(1). The FIA is entitled to seek an order requiring a noncustodial parent to pay support for a child who is receiving public assistance. MCL 552.451b.

¹ Defendant, acting *in propria persona*, sought delayed leave to appeal of that order (Docket No. 241685). In an order entered on August 14, 2003, another panel of this Court denied the application for lack of merit.

We review a trial court's findings of fact for clear error. A finding is clearly erroneous if, after a review of all the evidence, we are left with the firm and definite conviction that a mistake was made. *Thames v Thames*, 191 Mich App 299, 301-302; 477 NW2d 496 (1991). An award of child support rests in the sound discretion of the trial court. The trial court's exercise of that discretion is presumed to be correct. *Morrison v Richerson*, 198 Mich App 202, 211; 497 NW2d 506 (1992).

The trial court based its finding that defendant should pay support in the amount of \$70 per week on information that defendant herself presented to the court. Defendant has not shown that the trial court's findings of fact were clearly erroneous. *Thames, supra*. Her arguments regarding other matters, including her application for public assistance and the paternity action, are beyond the scope of this appeal. *Amorello v Monsanto Corp*, 186 Mich App 324, 330; 463 NW2d 487 (1990). Defendant's arguments are not supported by citation to authority, and her failure to address the merits of her assertions of error constitutes abandonment of the issues. *Yee v Shiawassee Co Bd of Comm'rs*, 251 Mich App 379, 406; 651 NW2d 756 (2002).

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Janet T. Neff

/s/ Helene N. White