

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of BRADFORD WASHINGTON,  
Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

HARRY BROWN JOHNSON,

Respondent-Appellant,

and

CHARLENE WASHINGTON,

Respondent.

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UNPUBLISHED

October 5, 2004

No. 254422

Berrien Circuit Court

Family Division

LC No. 2002-000086-NA

Before: Borrello, P.J., and Murray and Fort Hood, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order terminating his parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j). We affirm.

The trial court did not clearly err in determining that clear and convincing evidence established at least one of the grounds for terminating respondent-appellant's parental rights. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent-appellant was the putative father of the minor child and never took any action to become the legal father, never sought custody of the child, and had not seen the one and one-half-year-old child in the three months that preceded the termination hearing. Respondent-appellant admitted that he could not provide proper care and custody without assistance. There was no indication in the record that respondent-appellant knew how to care for a two-year-old, and a psychological evaluation showed that respondent-appellant had no parenting skills. Respondent-appellant was unemployed and benefited from the charity of others. Finally, respondent-appellant's cessation of his efforts to become the child's legal father after one phone call, in which he purportedly received the "run-around," calls into question his ability to undertake the commitment of caring for a young child. This evidence was sufficient to establish subsections (a)(ii), (g), and (j).

Although we conclude that the trial court erred in determining that the evidence established subsection (c)(i), because respondent-appellant was not a respondent in the initial petition, this error was harmless because other statutory grounds were proven by clear and convincing evidence. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

Finally, the evidence did not establish that termination of respondent-appellant's parental rights was contrary to the minor child's best interests, and the trial court therefore did not err in terminating his parental rights. *Trejo, supra* at 357.

Affirmed.

/s/ Stephen L. Borrello  
/s/ Christopher M. Murray  
/s/ Karen M. Fort Hood